

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION
4

5 -----) MDL No. 2804

6 IN RE NATIONAL PRESCRIPTION)

7 OPIATE LITIGATION)

8) Case No. 17-md-2804

9 This document relates to:)

10 All Cases)

11 -----) Hon. Dan A. Polster

12

13 HIGHLY CONFIDENTIAL

14 SUBJECT TO FURTHER CONFIDENTIALITY REVIEW

15

16 The videotaped deposition of MARY WOODS,
17 called for examination, taken pursuant to the Federal
18 Rules of Civil Procedure of the United States District
19 Courts pertaining to the taking of depositions, taken
20 before JULIANA F. ZAJICEK, a Registered Professional
21 Reporter and a Certified Shorthand Reporter, at Lief
22 Cabraser Heimann & Bernstein, 8th Floor, 250 Hudson
23 Street, New York, New York, on January 10, 2019, at
24 9:10 a.m.

1 APPEARANCES:

2 ON BEHALF OF THE PLAINTIFFS:

3 ROBBINS GELLER RUDMAN & DOWD LLP
655 West Broadway, Suite 1900
4 San Diego, California 92101
619-231-1058
5 BY: THOMAS E. EGLER, ESQ.
tegler@rgrdlaw.com

6

-and-

7

ROBBINS GELLER RUDMAN & DOWD LLP
8 Post-Montgomery Center
One Montgomery Street, Suite 1800
9 San Francisco, California 94104
415-288-4545
10 BY: KELLI BLACK, ESQ.
kblack@rgrdlaw.com

11

12 ON BEHALF OF AMERISOURCEBERGEN CORPORATION and
AMERISOURCEBERGEN DRUG CORPORATION:

13

REED SMITH LLP
14 Three Logan Square
1717 Arch Street, Suite 3100
15 Philadelphia, Pennsylvania 19103
215-851-8100
16 BY: CHRISTIAN SAUCEDO, ESQ. (Telephonically)
csaucedo@reedsmith.com

17

18 ON BEHALF OF CEPHALON, INC., TEVA PHARMACEUTICALS USA,
INC., ACTAVIS LLC, ACTAVIS PHARMA, INC., AND WATSON
19 LABORATORIES, INC.:

20

MORGAN LEWIS & BOCKIUS LLP
1701 Market Street
21 Philadelphia, Pennsylvania 19103-2921
215-963-5000
22 BY: ADAM HAMMOUD, ESQ.
adam.hammoud@morganlewis.com

23

24

1 APPEARANCES: (Continued)
2 ON BEHALF OF CARDINAL HEALTH, INC.:
3 FARRELL FRITZ P.C.
4 400 RXR Plaza
5 Uniondale, New York 11556
6 516-227-0620
7 BY: KEVIN P. MULRY, ESQ.
8 kmulry@farrellfritz.com
9

10 ON BEHALF OF ENDO HEALTH SOLUTIONS INC., ENDO
11 PHARMACEUTICALS INC., PAR PHARMACEUTICAL COMPANIES,
12 INC.:
13 BAKER HOSTETLER
14 Key Tower
15 127 Public Square, Suite 2000
16 Cleveland, OH 44114-1214
17 216-861-6486
18 BY: DOUG SHIVELY, ESQ. (Telephonically)
19 dshively@bakerlaw.com
20

21 ON BEHALF OF WALMART INC.:
22
23 JONES DAY
24 150 West Jefferson, Suite 2100
25 Detroit, Michigan 48226-4438
26 313-733-3939
27 BY: LOUIS P. GABEL, ESQ.
28 lpgabel@jonesday.com
29

30 ON BEHALF OF ALLERGAN:
31
32 KIRKLAND & ELLIS LLP
33 655 Fifteenth Street, N.W.
34 Washington, D.C. 20005-5793
35 202-879-5211
36 BY: JENNIFER LEVY, ESQ.
37 jennifer.levy@kirkland.com
38 -and-
39

1 APPEARANCES: (Continued)

2 ON BEHALF OF ALLERGAN:

3 KIRKLAND & ELLIS LLP

300 North LaSalle Street

4 Chicago, Illinois 60654

312-862-3429

5 BY: KAITLYN COVERSTONE, ESQ.

kaitlyn.coverstone@kirkland.com

6

7

8

9 ALSO PRESENT:

10 MS. LYNNE FISCHMAN UNIMAN (Telephonically).

11

12

13

14 THE VIDEOGRAPHER:

15 MR. ERIC DAVIDSON,

Golkow Litigation Services.

16

17

18

19

20

21

22

23

24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

I N D E X

WITNESS:	PAGE:
MARY WOODS	
EXAM BY MR. EGLER.....	7
EXAM BY MS. LEVY.....	190
FURTHER EXAM BY MR. EGLER.....	190

E X H I B I T S

ALLERGAN - WOODS EXHIBIT	MARKED FOR ID
No. 30 E-mail chain, top one from Mary Woods to Eileen Mesis, among others, 2/9/04, Subject: Re: Suspicious Order Reports; ALLERGAN_MDL_02166476 - 477	25
No. 31 E-mail chain, top one from Mary Woods to Andrew Boyer and Judith Callahan, 10/04/11, Subject: Investigation Summary - DEA Affairs, w/attachment; ALLERGAN_MDL_02187196 - 199	31
No. 32 E-mail, SOMS Update with One Note attachment; ALLERGAN_MDL_03835569 - 637	43
No. 33 E-mail from Mary Woods to Andrew Boyer, 11/08/11, Subject: 2012 Budget Customer Relations Presentation MW 3.pptx - slide 4 modified using marketing template, w/attachment: ALLERGAN_MDL_02187056 - 091	67

1 E X H I B I T S (Continued)

2 ALLERGAN - WOODS EXHIBIT MARKED FOR ID

3 No. 34 E-mail from Lisa Scott to Andrew 83
Boyer, among others, 12/13/12,
4 Subject: Summary: Capital
Wholesale, w/attachment;
5 ALLERGAN_MDL_02187194 - 195

6 No. 35 Document titled: "Customer 90
Relations Operations," Mary Woods,
7 Exec. Director Customer Relations
Operations - 2012;
8 ALLERGAN_MDL_03802654 - 687

9 No. 36 Document titled: "Actavis 142
Transition," Tuesday, July 31,
10 2012, 10:12 PM;
ALLERGAN_MDL_03776365 - 387

11

12 No. 37 Document titled: "Kick Off Meeting 184
5/13"; ALLERGAN_MDL_03755062 - 078

13
14
15
16
17
18
19
20
21
22
23
24

1 THE VIDEOGRAPHER: We are now on the record. My
2 name is Eric Davidson. I am the videographer for
3 Golkow Litigation Services. Today's date is Thursday,
4 January 10th, 2019, and the time is approximately
5 9:10 a.m.

6 This video deposition is being held at
7 250 Hudson Street, 8th Floor, New York, New York, in
8 the matters of National Prescription Opiate Litigation
9 for the United States District Court, Northern
10 District of Ohio, Eastern Division.

11 The deponent is Mary Woods.

12 At this time counsel will be noted on the
13 stenographic record.

14 The court reporter is Juliana, and she may
15 now swear in the witness.

16 (WHEREUPON, the witness was duly
17 sworn.)

18 MARY WOODS,
19 called as a witness herein, having been first duly
20 sworn, was examined and testified as follows:

21 EXAMINATION

22 BY MR. EGLER:

23 Q. Hi, Ms. Woods. Thanks for coming back
24 today.

1 Again, my name is Tom Egler. I represent
2 the Plaintiffs in this case. I work for a law firm
3 called Robbins Geller Rudman & Dowd.

4 Yesterday we talked about a number of
5 issues and today I want to go into more depth about
6 your personal memories and your personal activities at
7 Watson and then Actavis and now Allergan.

8 So can we start out, can you tell me where
9 you went to college?

10 A. I went to community college, only I
11 studied at Moraine Valley. I do not have -- I did not
12 complete my degree. And, um, that's it.

13 Q. All right. And then when did you start
14 working for Watson?

15 A. I started working for Watson in 1998.

16 Q. And when you started working for Watson,
17 where did you work?

18 A. I worked in Glenview, Illinois.

19 Q. And then at some point did you move to
20 California for work?

21 A. I did.

22 Q. When was that?

23 A. In 1999.

24 Q. When you moved to California for work at

1 Watson, what was your job title?

2 A. I believe my job title -- I've had
3 several, so I have to think about this. I believe my
4 job title was associate director of call center
5 operations, I believe. I -- I can't be positive.

6 Q. As you think about it, was the call center
7 operations group that you worked with part of the
8 customer service group at Watson?

9 Let me ask this question a little bit more
10 generally.

11 When you worked at Watson, did you have
12 something that you would now identify as a customer
13 service group, did the company have a customer service
14 group?

15 A. Watson did have a customer service group.

16 Q. As you think of it, was the call center
17 that you worked for in the late '90s part of that
18 customer service group?

19 A. In the late '90s, customer service was
20 part of the call center group.

21 Q. All right. Was -- was customer service a
22 part of the call center group or the other way around?

23 A. No. The customer service group was part
24 of the call center group --

1 Q. Oh, okay.

2 A. -- in the late '90s.

3 Q. All right.

4 So what did the call center -- let me
5 start over.

6 What did the customer service group at
7 Watson do in the late '90s?

8 A. To the best of my knowledge --

9 Q. Uh-huh.

10 A. -- this is a long time ago, their role was
11 to support the direct customers of Watson. That's
12 what their job was.

13 Q. All right. And then what did the call
14 center group that the customer service group was a
15 part of do?

16 A. So in addition to customer service, as I
17 mentioned, there was other groups and there would have
18 been a small inside sales team, and their role was to
19 contact other -- other types of customers and their
20 orders went through the wholesalers, as I mentioned
21 yesterday, it was --

22 Q. All right.

23 A. -- hospitals. They -- it was a detailing
24 team that contacted, I think I mentioned yesterday,

1 women's healthcare, it was dermatology, things like
2 that.

3 Q. With regard to the -- the answer you gave
4 just now, you used the term "inside sales."

5 What does that term mean to you in the
6 context of your work?

7 A. So, in the context of my work, inside
8 sales means there -- they would have been contacting
9 people regarding products sold by the company at that
10 time and selling products to them and they shipped
11 through the wholesaler. It was whole -- through --
12 you know, through their primary wholesaler.

13 Q. So as you think of the people who were in
14 the inside sales group at that time, with the
15 understanding that we are talking about 20 years ago
16 at least, were they -- would you characterize them as
17 salespeople or customer service people or both or
18 something else?

19 A. I would say they were probably both.

20 Q. Okay.

21 A. They probably had a role to inform them
22 about -- you know, they would look and see what
23 products they had typically purchased and then they
24 would also handle any service issue they would have

1 had, but the sale or the products shipped through the
2 wholesaler, so most probably service issues would have
3 gone through the wholesalers.

4 Q. All right. As you think of it, with
5 regard to the inside sales group that you're -- we've
6 been talking about, would those people have been able
7 to or responsible for selling any controlled
8 substances?

9 A. I -- I really can't remember, because it
10 was so long ago, exactly what the product line was
11 back then.

12 Q. All right. All right.

13 Let's -- we are going to take a short trip
14 through your career so we can just get some names down
15 now.

16 So you started at Watson and then in 19 --
17 in late '90s you went to California and --

18 A. Can I make one correction on that?

19 Q. Sure.

20 A. I started at Rugby Laboratories --

21 Q. Okay.

22 A. -- in 1995. They were acquired by Watson
23 in 1998.

24 Q. All right. So and then after you started

1 working in California, did your job title change at
2 any point?

3 A. Yes.

4 Q. Okay. Can you tell me generally what the
5 various job titles you had in California were?

6 A. So I'll do this to the best of my
7 recollection.

8 Q. Sure.

9 A. Obviously it has been many years.
10 So I would have been, I believe,
11 associate -- I'm going by my memory here, associate
12 director of call center operations and then I believe
13 I would have become a director of call center
14 operations, and then we very early on did not have an
15 inside sales team or a detailing team any longer, and
16 then I believe I changed to director of customer
17 relations or customer support. I can't recall what
18 the title was. And then at some point I became an
19 executive director of customer relations or something
20 like that. And then that would have probably been the
21 extent in California.

22 Q. Okay. And then at some point you left
23 California for the East Coast for work, is that right?

24 A. That is correct.

1 Q. When was that?

2 A. Approximately five years ago, so I think
3 that would have been around 2000 and -- I think it was
4 around 2014, maybe '13, maybe '13.

5 Q. When you came to work in New Jersey, who
6 was your employer?

7 A. When I came to work in New Jersey,
8 Actavis, Inc.

9 Q. When you started working for Actavis,
10 Inc., and I'll -- I'll -- we went through the -- let
11 me start over.

12 We went through the significance of the
13 comma and naming issues yesterday, and my
14 understanding is that the Actavis, Inc. is the
15 combined Actavis and Watson entity and that
16 Actavis Inc. is the pre-merger Actavis entity.

17 Is that your understanding as well?

18 A. Yes, my understanding is Actavis, Inc. is
19 after the merger.

20 Q. All right. So I'll try to use
21 Actavis, Inc. today so we are on the same page,
22 because I know you never worked for Actavis Inc., and
23 if I miss it and we both notice it or if you notice
24 it, just let me know. But I'll -- I have the

1 understanding that you never worked for Actavis Inc.
2 and want to make sure that you don't have -- or I
3 understand that you don't have personal knowledge of
4 what was going on there.

5 So with regard to Actavis, Inc., when you
6 started working for them in New Jersey, where did you
7 work physically in New Jersey?

8 A. I physically worked in Parsippany,
9 New Jersey.

10 Q. Do you remember the address of the office
11 building where you worked?

12 A. I'm trying to think of which location that
13 we were at.

14 I believe it is -- not off the top of my
15 head, but...

16 Q. All right. Do you remember -- let me put
17 it -- so, with regard to --

18 A. Interpace Parkway, 400 Interpace Parkway.

19 Q. Great. All right.

20 And if you think of it, there was more
21 than one physical location for Actavis white collar
22 workers in New Jersey, is that right?

23 A. The only location that I can recall for
24 Actavis, Inc. in New Jersey, there was multiple

1 buildings on the campus there, but, I mean, we -- but
2 that's the only location I can remember.

3 Q. All right.

4 With regard to the building where you
5 worked, how many stories was it?

6 A. I believe it was four stories.

7 Q. Okay. And as you think about the
8 people -- let me start over.

9 As you think about the -- the groups that
10 were on the floor where you worked, do you have a
11 memory of which operating groups or divisions were on
12 the floor where you worked?

13 A. When I started, yes, I was on a floor
14 with -- to the best of my recollection, the teams that
15 were on the floor with me were IT, my team, I think
16 that was the gist of where I was at, to the best of my
17 knowledge.

18 Q. Okay. And when you think about the --
19 what you termed as your team in the Interpace Parkway
20 building, about how many people are you thinking of?

21 A. On my team at the time probably maybe 14,
22 15 people.

23 Q. All right. As you think about it, with
24 regard to your team, keeping in that word, were you

1 the leader of the team?

2 A. Yes, I was.

3 Q. And who was directly below you?

4 A. I had two departments under me at the
5 time. I had an order management team and I had a
6 support services team which was licensed -- licensing
7 and customer master.

8 Q. The "customer master" term that you use,
9 are those the people who would have worked responding
10 to orders that had pended in the suspicious order
11 monitoring system?

12 A. So, customer master and licensing were one
13 team, so it was that team that was responsible, yes.

14 Q. Okay. So on that team, the customer -- on
15 those two teams that you are talking about, can you
16 tell me about how many people were on them?

17 A. So on the -- I'm sorry. I had one other
18 team at the same time which was -- I believe at that
19 time we also had some -- this is just going back. I'm
20 trying to recollect this. So I believe we also had --
21 and maybe not. I'm going to stick with that because
22 I -- I really can't recall, so I don't want to provide
23 something that's not accurate.

24 Q. Um-hum.

1 A. So on the license master and customer
2 master side, I would think we had five or six people,
3 we had some administrative people.

4 Q. Does the five or six include the
5 administrative people?

6 A. No.

7 Q. Okay.

8 A. And then we had -- and then the balance of
9 the people would have been on the order management
10 side.

11 Q. What did the order management -- let me
12 start over.

13 What did the people on the order
14 management side do?

15 A. The people on the order management side
16 used the Edge system that we spoke about yesterday,
17 evaluating orders as they came in to the system
18 against the amount of inventory customers were allowed
19 to receive. They ran analytical reports on inventory
20 and forecasting. They managed 852 data that came in
21 from the wholesalers, 867 data that came in from the
22 wholesalers, they worked with the supply chain teams
23 on inventory, we also had a person on that team that
24 managed vendor managed inventory (VMI), there was --

1 we -- we had some responsibilities to Walmart on
2 vendor managed inventory using their retailing system.
3 So they did a lot of analytical work. So that was the
4 gist of what their role was.

5 Q. All right.

6 With regard to the other -- well, so
7 that's the order management group that you were
8 talking about and the other people that you were
9 talking about were the license master and the customer
10 master people.

11 Is there -- are there -- were there any
12 other groups that you worked with at this time when
13 you first started in New Jersey for Actavis, Inc.?

14 A. I really -- I can't recollect. I do not
15 believe so.

16 Q. All right. With regard to the license
17 master and the customer master people, I think you had
18 said those were the people who would analyze orders
19 that had pended in the suspicious order monitoring
20 system, is that right?

21 A. That is correct.

22 Q. So do you have a -- a feeling or knowledge
23 about how much of -- about how much of those people's
24 time was spent on a day-to-day basis analyzing orders

1 that had pended in the suspicious order monitoring
2 system?

3 A. Well, so to the best of my recollection, I
4 mean, that was a significant amount of their time
5 during the day, because they were in that role all day
6 long as orders would come in and pend and they would
7 have to evaluate and review those orders and so that
8 was a primary part of their role.

9 Q. We had talked about -- we had talked about
10 this yesterday, and I just want to make sure I'm clear
11 on the context of it.

12 The suspicious order monitoring system at
13 Actavis and at Watson when you worked there as well,
14 had -- it was applicable to all controlled substances,
15 is that right?

16 A. That is correct.

17 Q. And I asked that because the case that we
18 are talking about here relates to substances that were
19 on Schedule II and at some point Schedule III of the
20 suspicious -- or the Controlled Substances Act, but
21 there are five total schedules, is that right?

22 A. That's correct.

23 Q. So when you talk about the --

24 A. The CSA law doesn't specify that you can

1 exclude other drugs from suspicious order monitoring.

2 Q. Did you ever do an examination while you
3 were at Actavis, Inc. or Watson of about how much the
4 license master or customer master staff, how much of
5 their time was spent working on Schedule II controlled
6 substances that Watson or Actavis manufactured?

7 A. We -- we didn't separate out how much time
8 was for C-IIs versus all of the controlleds because
9 they all pended if it's -- you know, they are all
10 under the Act, so we didn't separate out just opioids
11 versus -- or C-IIs versus C-II through V.

12 Q. Do you remember whether there was ever a
13 time when you worked at Actavis or Watson that the
14 conditions for an order to pend were different for
15 C-II drugs than they were for C-III through V?

16 A. Yes.

17 Q. All right. And when was that?

18 A. So that was controlled by our controlled
19 substance compliance team --

20 Q. Uh-huh.

21 A. -- and they could have made changes to
22 that at any time they felt that there was the need to
23 make that change, and they did that. I can't recall
24 the exact timeframe of that. They were very diligent

1 about making those changes. I -- I don't want to give
2 a timeframe because I -- I really don't know the exact
3 timeframe, but it was reviewed frequently and they
4 would make the changes as necessary.

5 Q. As you think of it, did that change take
6 place while you were in New Jersey or in California?

7 A. It took -- it happened when I was in both
8 locations.

9 Q. All right. Did it happen -- well, I guess
10 it did happen more than once then?

11 A. Yes.

12 Q. All right. Do you remember about how many
13 times it happened?

14 A. I can't recall the number of times it
15 happened.

16 Q. So as you think of it, who would be the
17 person most responsible for the issues that we're
18 talking about now deciding the -- the level for which
19 a order would pend on various schedules of the
20 Controlled Substance Act?

21 A. I'm -- I'm sorry. What do you mean by
22 "issues"?

23 Q. Oh, so you had said that the controlled
24 substance compliance team --

1 A. Uh-huh.

2 Q. -- at Actavis and Watson made changes to
3 the level at which an order would pend on the
4 suspicious order monitoring system depending on which
5 schedule it was under the Controlled Substance Act?

6 A. Correct.

7 Q. So who would be most responsible for that
8 issue?

9 A. For that activity?

10 Q. Yes.

11 A. So, the controlled substance compliance
12 team would make a determination on how to -- you know,
13 on what changes needed to be made, and it was the
14 controlled substance compliance team that could go in
15 and make those changes.

16 Q. And who on the team, as you think of it,
17 was most responsible for that?

18 A. So, Tom Napoli at that -- at that time --

19 Q. Okay.

20 A. -- would be able to do that or -- and
21 Tracey Hernandez's time when she was here, they would
22 be able to make those changes.

23 Q. Okay.

24 A. Or give direction to make those changes.

1 Q. Do you remember the first time the --
2 okay.

3 Do you remember the first time the level
4 at which an order pended on the suspicious order
5 monitoring system was modified based on the drug's
6 placement on a -- a Controlled Substance Act schedule?

7 A. I -- I really couldn't remember the first
8 time.

9 Q. All right.

10 All right. So we are going to go through
11 some documents, as we did yesterday.

12 A. Okay.

13 Q. Oh, so, all right. You had mentioned
14 earlier that there is a -- this order management
15 group --

16 A. Uh-huh.

17 Q. -- as well, right?

18 A. Correct.

19 Q. And you had mentioned that -- the term
20 "VMI"?

21 A. Vendor managed inventory.

22 Q. Yeah.

23 What does vendor managed inventory mean to
24 you?

1 A. So, vendor managed inventory is a process
2 in which you have the ability to work with a vendor to
3 help them manage their inventory. Most of the time
4 you are using their systems. In the case of Walmart,
5 we used their systems and we helped to review their
6 inventory with them and they would make us go into
7 Retail Link and review their systems, make sure they
8 didn't have outs and things like that.

9 Q. With regard to any -- any shipments or
10 orders that were made through any VMI system at
11 Actavis or Watson, do you know whether those orders
12 would have been monitored by the suspicious order
13 monitoring program at Actavis or Watson?

14 A. Every single order would have gone
15 through --

16 Q. All right.

17 A. -- our system.

18 Q. All right. I'm going to hand you what
19 we'll mark as Exhibit 30 for this deposition.

20 (WHEREUPON, a certain document was
21 marked Allergan - Woods Deposition
22 Exhibit No. 30, for identification,
23 as of 01/10/2019.)

24 BY MR. EGLER:

1 Q. Because of the physical setup, I'm going
2 to hand you two copies, one for your counsel.

3 A. Okay. Sure.

4 Q. And, Ms. Woods, could you look at what
5 I've marked as Exhibit 30, and as you are looking at
6 it, I'll read into the record its Bates stamps are
7 Allergan_MDL_02166476 and 477.

8 And when you are ready, can you tell me
9 what this appears to you to be?

10 A. Sure. Let me just read this.

11 Q. Yeah.

12 A. Okay. I've read it.

13 Q. All right. What does this appear to you
14 to be?

15 A. So Tracey Hernandez headed up the DEA
16 compliance team. This appears to me that she is
17 stating filings for the DEA suspicious orders should
18 go through her team.

19 Q. Does this seem to be a -- an e-mail chain
20 among you and other people at Watson Pharma, Inc.?

21 A. Correct.

22 Q. And the date on the e-mails is January and
23 February of 2004, is that right?

24 A. Yes, that is correct.

1 Q. So about 15 years ago at this point, is
2 that right?

3 A. Yes, correct.

4 Q. So for the e-mails that appear on here,
5 there is a name Tracey Hernandez who we have discussed
6 a little bit earlier and a woman named Christine
7 Marino.

8 Do you see her name right there?

9 A. Yes, I do.

10 Q. Who is Christine Marino?

11 A. Christine Marino was a supervisor of
12 customer service and she was also a representative. I
13 don't know which position at this time.

14 Q. When you say "representative," what does
15 that mean?

16 A. A customer service representative.

17 Q. All right. And then there is another name
18 there, Eileen Mesis, M-e-s-i-s?

19 A. Correct. She was a manager of customer
20 service.

21 Q. All right. And then Judy Callahan. Who
22 is Judy Callahan?

23 A. Judy Callahan was a -- a manager of
24 customer service at this time.

1 Q. And in the first e-mail in time on this
2 exhibit, which is at the bottom of the second page,
3 it's a Ms. Marino -- or Ms. Hernandez writing to
4 Ms. Marino and Ms. Callahan:

5 "Chris/Judy, Can you please tell me who at
6 DEA you have on record to send these reports to if you
7 ever need to?"

8 And Ms. Hernandez replies: "I have not
9 had to forward suspicious reports. You may want to
10 cover this with Mary Woods."

11 And then you respond on the first page --

12 A. Uh-huh.

13 Q. "We have never needed to file a report.
14 Any time there was a question during the order process
15 of a suspicious order quantity, we went," and then in
16 parentheses, "(and still follow the same
17 procedure)," and then close parentheses, "back to a
18 customer to let them know we would need to notify the
19 DEA due to the quantity they wanted to order. In
20 response, they either reduced the quantity or
21 cancelled the order."

22 Do you see that there?

23 A. Yes, I do.

24 Q. And then you -- you go on:

1 "Most all customers understand the issues
2 and do not want to bring attention to these large
3 purchases."

4 So at this time in January of 2004, do you
5 remember whether it was an official policy of Watson
6 Pharma to allow customers to reduce quantities in
7 order to avoid having to file a -- a DEA suspicious
8 order report?

9 A. I absolutely do not remember from 2004.

10 Q. All right. So with regard to this
11 response that you give on this e-mail, do you
12 remember -- as you sit here today, do you remember
13 writing this e-mail?

14 A. Not from 2004.

15 Q. Right. With that understanding, it's
16 15 years ago.

17 Do you have an understanding about whether
18 it was the case that you and people you worked with
19 would allow customers to reduce the quantity of orders
20 that had pended in a system in order to avoid filing a
21 suspicious order report with the DEA?

22 A. Nobody would have ever done it with any
23 intention to avoid filing a report with the DEA. If
24 the customer would have come to us and said, you know,

1 reduce the quantity, I don't -- I can't recollect
2 from, you know, 15 years ago --

3 Q. Right.

4 A. -- what the policy would have been or the
5 justification from 15 years ago.

6 Q. But in the e-mail you wrote, they either
7 cancelled the order or reduced the amount --

8 A. Yes, I did.

9 Q. -- is that right?

10 So do you have any reason to believe it
11 wasn't a regular process to allow customers to reduce
12 their orders at that time?

13 A. I -- I can't respond to what happened
14 15 years ago. I'd have to have more information.

15 Q. As you sit here today, you don't have any
16 reason to believe that that wasn't the case, right?

17 A. I don't have any be -- reason to believe
18 it was or wasn't. I don't know.

19 Q. Well, you -- you wrote it at the time,
20 right, in 2004?

21 A. I probably wrote a lot of things at the
22 time that I probably can't recollect.

23 Q. Would you have written something that you
24 didn't believe was true at the time in 2004?

1 A. I wouldn't write something I didn't
2 believe was true at that point in time for that
3 e-mail.

4 Q. So you must have believed that that was
5 actually the case, that customers would have
6 reduced --

7 A. For this incident.

8 MS. LEVY: Hang on a second. Let him finish his
9 question.

10 BY MR. EGLER:

11 Q. Customers would have been able to reduce
12 their order in order to avoid a DEA report being
13 filed, is that right?

14 A. I'm reading what's in the e-mail. That's
15 the best I can respond to it.

16 Q. All right.

17 All right. You can set this document
18 aside.

19 (WHEREUPON, a certain document was
20 marked Allergan - Woods Deposition
21 Exhibit No. 31, for identification,
22 as of 01/10/2019.)

23 BY MR. EGLER:

24 Q. So I'll hand you what we'll mark as

1 Exhibit 31.

2 Again, there is two -- two copies there.

3 A. Sure.

4 Q. And can you look through what I've marked
5 as Exhibit 31? And as you are looking through it,
6 I'll read on the record, it's Bates numbered
7 Allergan_MDL_02187196 through 87199.

8 And when you are ready, can you tell me
9 what this appears to you to be?

10 A. Okay.

11 Q. All right. Ms. Woods, what does this
12 appear to you to be?

13 A. This was an e-mail that we were -- that I
14 sent to Andy Boyer, who is the VP of our sales and
15 marketing team.

16 Q. The e-mail is dated October 4th, 2011, is
17 this right?

18 A. That is correct.

19 Q. And at this point you were still working
20 in Corona, California, is that right?

21 A. That is correct.

22 Q. And still working for Watson still?

23 A. Correct.

24 Q. I don't know if we've raised his name

1 earlier, but, again, who is Andy Boyer?

2 A. I believe at this time he was a vice
3 president of sales and marketing. I believe that was
4 his title.

5 Q. All right. And he was at Watson, is that
6 right?

7 A. Yes, that is correct.

8 Q. Below his name is the name
9 Judith Callahan.

10 Do you know who Ms. Callahan is?

11 A. Yes. Judy was the -- she -- I'm not sure
12 her title at the time, but she worked on my team.

13 Q. Okay. At this time, 2011, late 2011, what
14 was your team at Watson?

15 A. My team at Watson was customer service and
16 it would have also included order processing and
17 master data and -- order processing, master data,
18 licensing.

19 Q. Okay.

20 A. And I think we would have had a small
21 group called account management which was a customer
22 service group that handled orders for, like, contract
23 manufacturing customers.

24 Q. As you think of it, around this time in

1 2011, were you responsible for anybody with, as you
2 had said before, inside sales responsibilities?

3 A. No.

4 Q. And were you responsible at this time for
5 anybody with any sales responsibilities as you think
6 of it?

7 A. No.

8 Q. So with regard to the people that you
9 managed and yourself around this time, you didn't
10 have, as you think of it, any sales responsibilities?

11 A. No, I did not.

12 Q. And Mr. Boyer, he did have sales
13 responsibilities, is that right?

14 A. The national -- to the best of my
15 recollection, the national account managers reported
16 into him or indirectly reported in to him.

17 Q. And then Ms. Callahan, did she have sales
18 responsibilities?

19 A. No.

20 Q. Oh, and she worked for you, is that
21 correct?

22 A. That's correct.

23 Q. All right. So do you remember -- do you
24 remember this particular e-mail that I've marked --

1 A. I do.

2 Q. -- as Exhibit 31?

3 Can you tell me what you remember about
4 it?

5 A. I remember that -- I remember the
6 communication with our DEA affairs and compliance team
7 specifically regarding Top Rx.

8 Q. Okay. And what was Top Rx?

9 A. To the best of my knowledge, Top Rx was a
10 distributor.

11 Q. All right. So do you remember ever
12 meeting anyone from Top Rx in the course of your work?

13 A. I do not personally remember meeting
14 somebody in person from Top Rx.

15 Q. Do you remember whether there was ever a
16 meeting with anyone from Top Rx at the Corona site at
17 Watson at any time?

18 A. At our Corona site?

19 Q. Yes.

20 A. I -- I couldn't remember that.

21 Q. All right. Do you remember -- all right.

22 So in the e-mail that appears earlier in
23 time, at the bottom of this first page of Exhibit 31,
24 there is a name Lisa Scott.

1 Do you see that there?

2 A. Yes, I do.

3 Q. And who is Lisa Scott?

4 A. She worked on Tom Napoli's team as a
5 security and compliance auditor.

6 Q. All right. And so the Tom Napoli's team,
7 is that the controlled substance compliance team that
8 we were talking about before?

9 A. Yes, you are correct.

10 Q. So, going back up to the top of the page,
11 you write to Mr. Boyer:

12 "Andy, I need to meet with you, and most
13 likely, Allan and Tony at the same time, to discuss
14 the results of the Top Rx investigation."

15 A. Uh-huh.

16 Q. "We can make some decisions during this
17 call."

18 A. Um-hum.

19 Q. Who are Tony and Allan that you refer to
20 in this?

21 A. Allan was the head of national sales and
22 Tony was the representative that handled Top Rx to the
23 best of my recollection.

24 Q. Do you remember their last names?

1 A. Tony Giannone, please don't ask me how to
2 spell that.

3 Q. All right.

4 A. And Allan Slavsky.

5 Q. All right. Do you remember whether around
6 this time, October 2011, you had a meeting with Allan,
7 Tony and Andy Boyer about Top Rx?

8 A. I'm -- I'm sure we would have. I can't
9 tell you the exact time or date, but if I would have
10 written this to them, then we most likely would have
11 had that call.

12 Q. So with regard to this issue, I think, as
13 you have been describing it, it was a report from the
14 controlled substance compliance team that was sent to
15 you and you passed it on to Mr. Boyer and Allan and
16 Tony, is that right?

17 A. Yes, that's our process.

18 Q. All right. So can you describe the
19 process that you are thinking of here, why that would
20 have occurred --

21 A. Uh-huh.

22 Q. -- and what the circumstances was?

23 A. Yes.

24 If we were going to stop selling to a

1 customer, we would notify the sales and marketing team
2 in advance so that they would be alerted that a letter
3 was going to go and that if they wanted to have
4 participation to communicate to the customer we were
5 stopping to sell to them or at least they would have
6 knowledge of it.

7 Q. All right. So as you think about the
8 process that you're describing, when you talked to
9 Mr. Boyer and people from his team, would anyone from
10 the controlled substance compliance team be involved
11 in those discussions?

12 A. Yes, they would.

13 Q. Okay. As you think about this meeting
14 that you're setting up in this e-mail, who from the
15 controlled substance compliance team would have been
16 in the meeting?

17 A. Either Lisa or Tom or both of them.

18 Q. And that's Lisa Scott and Tom Napoli?

19 A. Yes, that is correct.

20 Q. All right. So, but you don't have a
21 recollection with regard to any particular meeting
22 about -- that related to this e-mail about whether
23 Ms. Scott or Mr. Napoli were in the meeting?

24 A. I mean, I -- I don't see it documented,

1 but they would have been in the meeting.

2 Q. All right.

3 A. I wouldn't have had the meeting without
4 them unless they -- unless for some reason they
5 couldn't have made it, but they were always
6 participating in those calls.

7 Q. All right. And you say at the bottom of
8 that -- well, going on into the e-mail, I had read the
9 first two sentences.

10 "All Rx" -- and that stands for
11 prescription, is that right, or -- or "Rx orders,"
12 what does that mean?

13 A. I -- it -- "All Rx orders are currently
14 shipping," meaning but no controlleds, right, so that
15 means products that are not controlleds.

16 Q. Okay.

17 "I briefly spoke with Tony this a.m., and
18 told him I would have the details later today. I
19 believe you are all together, so if you can let me
20 know when we can work out a meeting time, that would
21 be great. Not sure if you have an opportunity to be
22 in a confidential area, but you will need one for this
23 conversation. The timing is somewhat critical since
24 Top Rx continues to follow up on their control orders.

1 I did reach out to Rita and Scott last night to let
2 them know we would be trying to complete the review
3 today. Let me know what may work for you."

4 And then you say, "Thanks Andy" and "Best
5 Regards" and then your e-mail signature.

6 So, with regard to this issue, what was
7 your responsibility in the process of what's described
8 here?

9 A. My responsibility would have just to have
10 been set up the call and to communicate to the team
11 and to coordinate the call with the compliance team.

12 Q. Okay. So, and I guess where I'm asking
13 is, you had the controlled substance compliance
14 team --

15 A. Correct.

16 Q. -- and you have Mr. Boyer's team, the
17 sales people, and then you have your group, and why
18 would your group become involved in the process like
19 this?

20 A. Because I am customer relations, right.
21 So I'm the liaison between compliance and the
22 customer.

23 Q. Okay. So -- good. Thank you.

24 The -- the -- the controlled substance

1 compliance team itself would not communicate with the
2 customers, is that fair to say?

3 A. Yes, they would.

4 Q. Okay.

5 A. But if it was to have something initial
6 like this, then if there is orders that pended, the
7 customer is going to call us first to say, Where is my
8 order, right. We would be the first line to say, We
9 are still investigating. And then when it comes to
10 something that becomes an order of interest or
11 suspect, we would get compliance involved.

12 Q. All right.

13 A. So we -- we were the liaison between the
14 customer and compliance.

15 Q. Then who, if anyone, at Watson while you
16 worked there was ultimately responsible for informing
17 any customer that they were being cut off from
18 controlled substance shipments?

19 A. Those were done in partnership calls and
20 that would have been the compliance team and typically
21 myself on the call and sometimes Andy would join on
22 those calls as well to show that he was in alignment
23 with the compliance team, he was always in alignment
24 with the compliance team, and that we were a joint

1 group to say this is it, this is our decision, don't
2 come back to marketing to ask, because you are not
3 getting it. So it was a joint group.

4 Q. All right. So do you remember whether
5 ultimately Watson cut off Top Rx from controlled
6 substance sales sometime after this memo was written?

7 A. Yes.

8 Q. All right. Do you remember what
9 subsequently occurred, if anything?

10 A. I remember that we stopped selling
11 controlled substances to them, I remember there was a
12 list of requirements that they would have had to
13 comply with before we would start to sell them again.

14 Q. All right. And looking at the Page 3 of
15 Exhibit 31, there is a -- what's referred to as an
16 investigation summary.

17 Do you see that there?

18 A. I do.

19 Q. Do you know who or which group would have
20 been responsible for writing the investigation summary
21 that appears there?

22 A. The controlled substance compliance team.

23 Q. All right. All right.

24 All right. You can set this document

1 aside. All right. Now this is going to be a little
2 complicated.

3 A. That's okay.

4 Q. All right. So...

5 A. I'll follow it to the best of my ability.

6 Q. Right.

7 (WHEREUPON, a certain document was
8 marked Allergan - Woods Deposition
9 Exhibit No. 32, for identification,
10 as of 01/10/2019.)

11 BY MR. EGLER:

12 Q. So I'm going to hand you what we'll mark
13 as Exhibit 32.

14 And, Ms. Woods, I'm going to ask you
15 first: Have you ever used the program Microsoft One
16 Note?

17 A. Yes.

18 Q. All right. Now, do you use the program
19 Microsoft One Note in the -- in your current work?

20 A. Yes.

21 Q. When did you start using it?

22 A. Approximately 2010.

23 Q. So have you ever printed out in long form
24 one of the Microsoft note records that you have

1 compiled as part of your work?

2 A. I can't say that I have.

3 Q. Okay. And it's not common for people --

4 A. Maybe or maybe not.

5 Q. And it's not common for people to print
6 out the Microsoft notes, is that your understanding?

7 A. I would say that's probably --

8 Q. Okay.

9 A. -- a good summation.

10 Q. And that's my understanding -- that's my
11 understanding as well.

12 My understanding is that what I've handed
13 you as Exhibit 32 is a printout of a Microsoft One
14 Note note.

15 As you look at the format of the -- of the
16 content inside this note, does it appear to you to
17 be -- and you can take your time, but does it appear
18 to you to be something that would have been the
19 content that you would have put into a Microsoft note
20 around this time, starting, as the first page says,
21 June 22nd, 2010?

22 A. I'll need a minute to look through this.

23 Q. Absolutely.

24 A. It looks like One Note.

1 Q. All right. So I want to get an
2 understanding, and, again, with the understanding that
3 you've said you don't regularly print these things
4 out, but as you look at the first page of this
5 Exhibit 32, if you had copied and pasted a e-mail or
6 something into your One Note, is that how it would
7 appear on your screen?

8 A. Yes.

9 Q. All right. And as you go -- well, let me
10 start over.

11 You said you started using this One Note
12 system in 2010. Can you describe to me how you used
13 the One Note system at work, how you personally used
14 it?

15 A. How I -- how I personally used One Note?

16 Q. Yes.

17 A. I'm not sure -- can you explain a little
18 bit more? I'm -- I'm not sure what you mean, how I
19 used One Note.

20 Q. So my understanding of One Note is that
21 you can take the content of e-mails or web pages or
22 screen shots or anything else and put them one after
23 the other into a note in the One Note system and so
24 you can keep subject matter or whatever you want in

1 one file.

2 Is that your understanding as well?

3 A. Yes.

4 Q. And as part of your work, would you take
5 e-mails and web pages and -- and screen shots of
6 things and put them into notes so as to keep them in
7 subject matter groupings?

8 A. If I felt that it was important or
9 relevant.

10 Q. All right. And did you make it a -- a
11 habit of -- did you make a habit of doing that as part
12 of your work?

13 A. If it was related to maybe a project or a
14 subject we were working on.

15 Q. Okay. And as part of your work, were you
16 trained to use the One Note system for that purpose?

17 A. I think it was a personal choice based on
18 the person --

19 Q. Okay.

20 A. -- what tool you were going to use.

21 Q. All right. So -- and, again, because --
22 you know, we've looked at a couple of e-mails and
23 attachments, and I think you've seen those before, and
24 since my experience with using One Notes and -- and

1 discussing them is limited, I -- I just want to make
2 sure that I'm understanding why this document would
3 appear the way it is and what you would have used it
4 for.

5 So as you look at this particular
6 document, can you describe to me what -- what it is?

7 A. I -- I don't know where this was retrieved
8 out of One Note, so it's a little bit difficult for me
9 to --

10 Q. I can represent to you that the -- this
11 one, and I'm going to show you a couple other ones,
12 were listed with you as a custodian on them, so...

13 A. I'm sure.

14 Q. And so I don't -- I don't have much more
15 information --

16 A. Okay.

17 Q. -- than that, but they were produced as a
18 file.

19 A. Okay.

20 Q. And, you know, I -- that's about all of
21 the representation I can make to you. And with the
22 understanding that this is a little bit cumbersome and
23 it doesn't look anything like the way you would
24 approach it on a computer screen --

1 A. Right.

2 Q. -- I hope you can understand with me that
3 this is the situation that we are in.

4 A. Yeah.

5 Q. That -- that this was produced to us as
6 being from your files and -- and it appears to me, and
7 I think it appears to you, as what a One Note file
8 would appear as if it was printed out.

9 So the first page of this is called "SOMS
10 update," the first page of this 32.

11 Can you turn to what's marked on the
12 bottom as "Native file download Page 44." It's Bates
13 No. 5612.

14 A. 5612.

15 MS. LEVY: What are the last four digits?

16 THE WITNESS: 12.

17 MR. EGLER: 5612.

18 BY THE WITNESS:

19 A. I'm almost there.

20 Okay. The one that's dated from 2012?

21 BY MR. EGLER:

22 Q. Yes.

23 A. Okay.

24 Q. So in the course of using your One Note at

1 your work, could you have copied and pasted an e-mail
2 into the One Note system?

3 A. Yes.

4 Q. Does this appear to you what that might
5 be?

6 A. Yes.

7 Q. All right. And the -- the e-mail seems to
8 be named "Re: Hydrocodone supply issues - market
9 demand."

10 Do you see that there?

11 A. Correct.

12 Q. So do you know -- do you have an
13 understanding of what hydrocodone is?

14 A. Yes, I do.

15 Q. What is hydrocodone?

16 A. In this point in 2012 it was a C-III
17 controlled substance.

18 Q. Uh-huh. Do you know -- do you have a
19 memory of what the brand name was for hydrocodone?

20 A. I don't know because this was -- I mean, I
21 guess it depends on the strength and the -- the
22 strength of the product, so different ones were
23 different brand names.

24 Q. And the e-mail seems to come from a person

1 named Toni M. Picone.

2 Do you see that?

3 A. Yes, I do.

4 Q. Who is Ms. Picone?

5 A. Her title is at the bottom of the page.

6 So she was a senior marketing manager.

7 Q. All right. And it goes to you and

8 Napoleon D. Clark.

9 A. Correct.

10 Q. Who is Mr. Clark?

11 A. Napoleon also worked in marketing.

12 Q. All right.

13 And Ms. Picone writes to you and Mr. Clark

14 and there are some cc's on there.

15 "Hello All, Please see answers to the

16 below questions per our meeting today. Amneal,

17 Qualitest and Mallinckrodt are the suppliers that

18 customers are telling us are the reasons for the

19 supply shortages in the market. Amneal has

20 discontinued to select customers only, and

21 Mallinckrodt sent letters that they have backlog and

22 are trying to ramp up as a result of quota."

23 Do you see that there?

24 A. I do.

1 Q. So with regard to the three names that are
2 listed there, Amneal, Qualitest and Mallinckrodt, do
3 you recognize those names?

4 A. I do.

5 Q. Are those manufacturers of prescription
6 drugs?

7 A. Yes, they are, to the best of my
8 knowledge.

9 Q. All right. And do you remember around
10 this time whether Watson made generic hydrocodone?

11 A. Yes, I believe that would have been the
12 case.

13 Q. All right. So with regard to this issue,
14 Ms. Picone is responding to an e-mail from you that
15 appears on the following page, is that right?

16 A. I'll have to take a look for a minute.

17 Q. All right. And it's Page 5613.

18 A. Okay. I do see the e-mail.

19 Q. And you write to Ms. Picone and Mr. Clark:

20 "Hi Napoleon and Toni, I have a few
21 marketing questions regarding the hydrocodone market
22 demand which I am hoping you can assist with. As you
23 know, the increased order volume in many of the
24 hydrocone" -- "hydrocodone SKUs has been significant

1 over the past several weeks. I am intending to use
2 the information provided to discuss the market demand
3 and market share with the DEA compliance team."

4 A. Uh-huh.

5 Q. Do you see that there?

6 A. I do.

7 Q. And then you ask a series of questions
8 that follow in the e-mail.

9 As you think about this, was it common for
10 you to ask the marketing team questions about market
11 demand and market share for the generic opioid drugs
12 that Watson made?

13 A. It was -- it -- it was critical that we
14 ask the internal teams about market shortages, if you
15 remember from the policy we reviewed yesterday --

16 Q. Uh-huh.

17 A. -- is one of the tools when we would see
18 increases in orders come through. This was my way of
19 going to the team and asking them about what was going
20 on in the market regarding the market shortages, which
21 is what Toni responded to.

22 Q. And this e-mail that you write, the first
23 e-mail, April 17th, 2012, it doesn't relate to any
24 particular pending order, is that right, as far as you

1 can tell?

2 A. Well, what it -- what it -- if you read in
3 the e-mail, it says:

4 "As you know, the increased order volume
5 in many hydrocodone SKUs has been significant over the
6 past few weeks."

7 I had a concern which I reached out and
8 asked them about.

9 Q. Uh-huh.

10 A. And I needed to understand what was going
11 on in the industry. Part of our process was to
12 request information about shortages in the
13 marketplace.

14 Q. So --

15 A. And as you can see, I copied the
16 compliance team on the e-mail.

17 Q. Right. So the cc's that you sent to are
18 Lisa Scott, Tom Napoli, Sandra Simmons, who I think
19 we've talked about today earlier?

20 A. Yes, you are correct.

21 Q. And then Scott Soltis, who I don't --

22 A. Which was Tom Napoli's boss.

23 Q. All right.

24 So -- and, again, you -- you ask about

1 market-wide issues and you use the term "hydrocodone
2 SKUs"?

3 A. SKUs.

4 Q. SKUs. And it's --

5 A. Stock keeping units.

6 Q. All right. And that's S-K-U-s?

7 A. Correct.

8 Q. And so with regard to that term
9 "hydrocodone SKUs," as you think of it, we had talked
10 yesterday about a -- is it a DEA number for a drug or
11 a --

12 A. NDC number.

13 Q. NDC number?

14 A. Correct.

15 Q. Is there a difference between a NDC number
16 and a SKU?

17 A. They are relatable.

18 Q. Okay. Would -- as you think of it, any
19 ent -- any drug that had a -- let me start over.

20 Anything that had an NDC number, would it
21 have a different SKU than other similar drugs made by
22 different manufacturers?

23 A. So we'll relate to what I said yesterday,
24 right? So each -- each product has its own NDC

1 number. So one SKU would equal one NDC number.

2 Q. All right. So with regard to this, you're
3 trying to find out about the various hydrocodone SKUs
4 presenting a market demand in the supply chain.

5 Do you see that there?

6 A. I do.

7 Q. And as I think you said, this related to,
8 as you say, the market demand and increased order
9 volume in hydrocodone that you had seen around this
10 time?

11 A. That's correct.

12 Q. So with regard to the -- the market demand
13 and the response that you received from Ms. Picone,
14 about how often as you think about it did you in
15 the -- in your group seek this type of market wide
16 data from the sales team in making decisions with
17 regard to pended order on the suspicious order
18 monitoring system?

19 A. We would reach out any time to them or any
20 other internal sources or use any other tools that we
21 needed to make a decision as often as necessary.

22 Q. So with regard to the market wide
23 consideration of hydrocodone SKUs, was it a regular
24 practice or policy of your group to understand the

1 market wide demand for the SKUs when -- when looking
2 at pended orders in the suspicious order monitoring
3 system?

4 A. It was our practice to understand if there
5 was a shortage in the market which would create an
6 increase for Watson.

7 Q. All right. Beyond the -- beyond a
8 situation where there is a shortage in the market, was
9 it ever the policy of the -- of your group at Watson
10 to examine the market-wide or geographic area-wide
11 demand for a particular controlled substance SKUs when
12 considering a -- a order that had pended on the
13 suspicious order monitoring system?

14 A. Well, we are not marketing, we are not --
15 typically we are not investigating every single SKU in
16 the -- and the marketing background of a SKU. We are
17 interested in changes in size, frequency and pattern,
18 so...

19 Q. As you -- so we had talked about Amneal
20 and Qualitest and Mallinckrodt.

21 Do you know whether each of those
22 companies made brand name or generic versions of the
23 hydrocodone?

24 A. I didn't investigate other companies,

1 quite honestly.

2 Q. Okay. But as you sit here, just with your
3 general knowledge of the -- of the industry, was
4 Mallinckrodt, as you think of it, a brand name
5 producer of hydrocodone?

6 A. I believe that's the case.

7 Q. Okay. How about Amneal?

8 A. I can't recall if Amneal made brand
9 products or not at that time or now.

10 Q. Okay. How about Qualitest?

11 A. I did not recall Qualitest being a brand
12 company.

13 Q. Okay. So with regard to the market-wide
14 intelligence that you're reaching out to the marketing
15 team for on these issues relating to hydrocodone and
16 the shortage, can you think of any particular time
17 where you or your group reached out to the marketing
18 team to find market-wide intelligence on -- on demand
19 for other opioids even where there wasn't a shortage?

20 A. I can't recall off the top of my head --

21 Q. Okay.

22 A. -- if we did or didn't.

23 Q. And when you asked for this information in
24 April of 2012, you asked for it on April 17th, 2012,

1 and the response from Ms. Picone came April 26th.

2 Do you see that there?

3 A. I do.

4 Q. Do you remember this particular e-mail?

5 A. Well, I'm -- as I'm reading it today,
6 probably because it refreshes my memory.

7 Q. Okay. Do you remember what, if anything,
8 you did with the information that Ms. Picone sent to
9 you?

10 A. I -- I don't, but it's information that we
11 would have obviously used. I -- I don't remember
12 exactly.

13 Q. So as you think of the market-wide data
14 that Ms. Picone sent to you -- well, let me start
15 over.

16 As you think about the hydrocodone
17 market-wide data that Ms. Picone sent to you, was
18 there any formal -- formal process by which the -- the
19 group that you headed up at Watson would rec --
20 receive or expect to receive market-wide information
21 about controlled substances, and particularly opioid
22 controlled substances to inform decisions about the
23 suspicious order monitoring system?

24 MS. LEVY: Object to the form.

1 You can answer.

2 BY THE WITNESS:

3 A. Yeah, I'm -- I'm -- I'm sorry, I don't
4 understand it.

5 BY MR. EGLER:

6 Q. So, like yesterday we were talking about
7 the suspicious order monitoring system and the -- what
8 causes things to pend on the suspicious order
9 monitoring system. And I think we had talked about
10 how the -- the data that the suspicious order
11 monitoring system used related to orders and prior
12 orders of a particular NDC code that was produced by
13 Watson, is that right?

14 A. (Nodding head.)

15 Q. I -- I have to -- you have to say --

16 A. I think I'm trying --

17 Q. -- yes or no.

18 A. I'm trying to follow you and I'm not
19 following you so well.

20 Q. So --

21 A. So...

22 Q. Well, let me ask it again -- or let me say
23 this again.

24 So yesterday we were talking about the

1 suspicious order monitoring system?

2 A. Correct.

3 Q. And the various policies, right?

4 A. Correct.

5 Q. And at some point we had been talking
6 about the data that went into the suspicious order
7 monitoring system as an input, right? And my
8 understanding is that the data that would go into the
9 suspicious order monitoring system at Watson and
10 Actavis Inc. related to prior orders by customers of
11 Watson or Actavis, Inc. drugs, is that right?

12 A. Yes, that's correct.

13 Q. And it didn't include, say, for generics,
14 market-wide orders of -- of controlled substances, is
15 that right?

16 A. When you say "market-wide," what do you
17 mean by market-wide orders?

18 Q. Well, let's take for an example, again,
19 hypothetically, as we were talking about yesterday,
20 oxycodone, right, and if there was a -- and we had
21 talked about yesterday oxycodone and, say, a
22 20-milligram pill of oxycodone and I think you had
23 said yesterday the -- the Watson -- if Watson made
24 such a pill, it would have a particular NDC code and

1 if another company made similar generic, it would have
2 a separate NDC code, is that right?

3 A. That is correct.

4 Q. So with regard to the Watson and then
5 Actavis, Inc. suspicious order monitoring systems, the
6 system would track the Watson or the Actavis NDC code
7 but not any other similar NDC code, is that right?

8 A. That is correct.

9 Q. So --

10 A. Yes, there was no interoperable system
11 tracking -- all of -- all manufacturers' data in one
12 system is what I stated, that is correct.

13 Q. And what I had asked you earlier, a few
14 minutes ago, is with regard to the Watson and Actavis
15 suspicious order monitoring system, was there a formal
16 process by which the -- by which your group would seek
17 or expect to receive market-wide data for similar NDC
18 codes to inform the suspicious order monitoring
19 system?

20 A. We used the tools that are outlined in the
21 policy, right, which we went through yesterday.

22 Q. So is the answer yes --

23 A. I -- I --

24 Q. -- yes or no?

1 A. I don't --

2 Q. Okay.

3 A. -- it's not market-wide data, right?

4 Q. Uh-huh.

5 A. It's -- it's the data that is available
6 for all of us to use, which is 867 data, 852 data. We
7 went through this yesterday. The compliance team used
8 chargeback data. So the data that is available is,
9 you know, what our teams used.

10 Q. And the -- the 852 and 867 data that you
11 are talking about and the chargeback data would
12 contain the information about the Watson or Actavis,
13 Inc. NDC codes, is that right?

14 A. Yes, our product -- because it --
15 because -- to the best of my knowledge there was no
16 interoperable system with all other manufacturers'
17 data, because that would be confidential, that we
18 could use. And there was no DEA system that allowed
19 us to see everybody else's data at the time. We used
20 the tools we have available to us.

21 Q. And there was no -- but in that -- the
22 e-mail that we are looking at here on Page 613 -- 612
23 and 613 of Exhibit 32, you are reaching out to the
24 marketing group for data about the similar hydrocodone

1 SKUs that would be the similar NDC codes, is that
2 right?

3 A. Which they got from customers telling
4 them.

5 Q. Right. But generally with regard to
6 informing the decisions of the suspicious order
7 monitoring system at Watson and Actavis Inc., it was
8 not the practice to seek out that type of data on an
9 ongoing or regular basis, is that right?

10 A. We didn't reach out to marketing unless we
11 had a need to reach out to marketing because something
12 was identified as an order of interest. If it was an
13 order of interest, we would reach out.

14 Q. And it wasn't the expectation of your
15 group at Watson or Actavis Inc. that the marketing
16 people would supply the type of parallel SKU
17 information on a regular basis that you are seeking in
18 this e-mail on Page 613, is that right?

19 A. That's correct, we did not reach out to
20 marketing unless we had a reason to.

21 Q. All right.

22 Can you move ahead into this document
23 on -- just two pages -- Allergan_MDL_03835617. And
24 this is another of the variety of issues that I wanted

1 to discuss with you about the format and generally
2 looking at a -- this Microsoft One Note.

3 When -- when you look at this page that's
4 35617, starting at the top there, it says: "Meeting
5 1/18/2013."

6 Can you identify what this is? And...

7 A. It appears to -- it appears to be meeting
8 notes from January 18th of 2013.

9 Q. Okay. And do you know who would have
10 written the notes that appear here on this Page 617?

11 A. I have to make an assumption that if you
12 got it from my One Note it would have been my meeting
13 notes.

14 Q. All right. So there is a -- the first
15 statement there that appears on Page 5617 below the
16 Meeting 1/18/2013 states:

17 "As discussed prior to the holidays, I
18 would like to provide a brief update on what Actavis
19 has done with respect to monitoring data of controlled
20 products down to a pharmacy level."

21 And then it says: "I would like to
22 highlight some discussions that were underway with
23 customers at the time of the acquisition to ensure
24 these are not overlooked as we move forward."

1 And then: "Additional follow-up is needed
2 to address concerns that we had identified following
3 our review of sales data, and I want to ensure this
4 gets the proper attention it needs."

5 So, do you recognize that as your words?

6 A. No. Now that you are reading that, I
7 would think -- let me -- let me read a little bit
8 further, please.

9 Q. Okay. Yeah, absolutely.

10 A. There is no name on this, but this appears
11 to be somebody from the Actavis team that would
12 have -- Actavis Inc. team that would have forwarded
13 this to us at the time that we were entering the
14 acquisition, because of the date on here, because this
15 is a summary of the Actavis Inc. system.

16 Q. All right. So this might be part of an
17 e-mail that you copied in but --

18 A. Yes, correct.

19 Q. But it doesn't have the -- the to and from
20 and date?

21 A. It does not.

22 Q. So these words that appear on the 5617
23 page, you don't recognize these as your words?

24 A. No, they are not, and it specifically

1 states on that note I have added my Actavis
2 colleagues, so it had to have come from somebody from
3 Actavis Inc.

4 Q. All right. Good.

5 So in the second paragraph there, the
6 person -- the author writes:

7 "I was going to include DNAs for some of
8 the accounts involved in some current discussions, but
9 thought we may want to start off with some high-level
10 planning discussions and drill down into the details
11 as a second step."

12 As you think about your work, does that
13 term "DNAs" have a meaning to you in the context of
14 this document?

15 A. You know, I don't want to put words into
16 the person's mouth that wrote this.

17 Q. Right.

18 A. I know a DNA as director of national
19 accounts. That's the only term I know it as.

20 Q. Okay.

21 Do you remember having a meeting with
22 directors of national accounts from Actavis around
23 this timeframe, January 2013?

24 A. I don't even know who all of the directors

1 of national accounts at Actavis were.

2 Q. All right.

3 All right. You can set this document
4 aside.

5 MR. EGLER: And why don't we take a break.

6 THE VIDEOGRAPHER: The time is approximately
7 10:32 a.m. and we are going off the record.

8 (WHEREUPON, a recess was had
9 from 10:32 to 10:48 a.m.)

10 THE VIDEOGRAPHER: We are back on the record.
11 The time is approximately 10:48 a.m.

12 BY MR. EGLER:

13 Q. All right. Ms. Woods, thanks for coming
14 back.

15 I -- I -- I'm going to show you the next
16 exhibit, and we'll mark it as Exhibit 33.

17 (WHEREUPON, a certain document was
18 marked Allergan - Woods Deposition
19 Exhibit No. 33, for identification,
20 as of 01/10/2019.)

21 BY MR. EGLER:

22 Q. And just so you know, my practice is to go
23 in time, because I think it is easier to understand
24 things, but because of the nature of the last

1 exhibit was multiple years in one document, we are
2 going to jump around a little bit.

3 A. Okay.

4 Q. All right, so...

5 So Exhibit 33, can you look through it and
6 as you are looking through it, I'll read on the
7 record, it's Allergan_MDL_02187056 through 87091. And
8 I'm going to note that in the middle of this document
9 on 87072 and up through 080 there are a number of
10 pages that say "produced as native."

11 A. Oh, that are blank, they are blank ones?

12 Q. They are blank and they are produced as
13 natives.

14 A. Okay.

15 Q. My understanding is that they are Excel
16 spreadsheets. I don't know what they say and I'm not
17 going to ask you any questions about them, but it is a
18 production issue and it is not anything that relates
19 to the document itself.

20 A. Okay.

21 Q. So, but that being said, when you are
22 ready, can you tell me what this document appears to
23 you to be?

24 A. It appears to be a 2012 budget proposal.

1 Q. All right. So in -- in the first page is
2 an e-mail from you to Mr. Boyer, is that right?

3 A. That's correct.

4 Q. And was it part of your job at Watson to
5 send something like this, a 2012 budget proposal, to
6 Mr. Boyer?

7 A. Yes.

8 Q. Okay. And do you know what, if anything,
9 Mr. Boyer's responsibility was with regard to the
10 annual budget of the customer rela -- relations group
11 that you headed up at Watson?

12 A. I reported to Andy Boyer.

13 Q. All right. So is it fair to say, then,
14 that Mr. Boyer was in charge of the -- assigning a
15 budget to the customer relations operations group at
16 Watson?

17 A. He was responsible to get it approved.

18 Q. I'm sorry. He was responsible to get
19 it --

20 A. Get my budget approved --

21 Q. Okay.

22 A. -- for my headcount.

23 Q. And who would approve your budget?

24 A. I believe our executive board.

1 Q. Do you remember the names of any members
2 of the executive board around this time, end of
3 2001 -- or I'm sorry -- end of 2011?

4 A. I believe in this period of time it would
5 have been Robert Stewart and Paul Bisaro, if I'm not
6 mistaken.

7 Q. Mr. Bisaro, do you remember what his title
8 was or generally what his responsibilities were at
9 Watson?

10 A. I believe he was our CEO and president at
11 the time.

12 Q. All right. And Mr. Stewart, do you
13 remember what his responsibilities or title were?

14 A. I believe he would have been our COO. I
15 don't have any charts in front of me, so I'm not
16 100 percent correct on this.

17 Q. Can you think of anybody else who might
18 have been on the executive board at Watson around this
19 time?

20 A. Siggi Olafsson may have been on our board
21 at that time, Andy may have reported into him at that
22 time. I'm just not sure of that other time period
23 right now, if that's the case.

24 Q. Who is Mr. -- is it Mr. Olafsson?

1 A. Olafsson.

2 He would have been -- let's see. What's
3 the date on this?

4 Q. It is the end of 2011.

5 A. Oh, November 11th. No, I don't think he
6 was at the time. I take that back. I -- it would
7 have probably been after -- well, I don't know. I
8 think he was. He would have probably been responsible
9 for either global or US sales and marketing. I'm not
10 sure. Probably global sales and marketing at the
11 time.

12 Q. So, can you turn -- oh, so when you look
13 at the second page going forward into this document,
14 it's marked as Exhibit 33, do you, independent of the
15 exhibit that I handed you, have a memory of submitting
16 a proposed budget to Mr. Boyer at the end of 2011?

17 A. At the end of -- do I remember doing this,
18 is that the question?

19 Q. Yes. That's a much easier question to
20 ask.

21 A. Well, I was required to do it every year,
22 so...

23 Q. All right. But sitting here today, you
24 don't have a particular memory of this particular

1 budget proposal?

2 A. Probably not from 2011.

3 Q. Right. So can you turn into Page 7066

4 into this Exhibit 33.

5 And at the top of the page there, 066, it
6 states:

7 "2011, YTD," and in parentheses the
8 word "(August)" and then "productivity statistics."

9 Do you remember productivity statistics
10 like this being collected and maintained in your group
11 as part of its work at Watson around this time, end of
12 2011?

13 A. Yes, that is correct.

14 Q. All right. I'd like to go through the
15 charts that appear below on this Page 066 and go
16 through them with you and have you explain them to me,
17 not all of them, but just some of them.

18 So, first of all, why would you present
19 this as part of your budget to Mr. Boyer?

20 A. Well, we provided them not just in the
21 budget but we provided them probably quarterly as
22 well, just as part of our job responsibility.

23 Q. So the first header there is "Customer
24 Relations - Key Performance Indicator."

1 Do you see that there?

2 A. I do.

3 Q. And then the second one is "Transactional
4 Statistics - Customer Relations and Support Services"?

5 A. Correct.

6 Q. So, and inside that second one is "Master
7 Data Statistics" and "(monthly average per MDA)"?

8 A. Correct.

9 Q. What does the term "MDA" in there mean?

10 A. I believe at the time it was master data
11 administrator.

12 Q. And below there it states:

13 "Customer/license master record
14 review/administration" and then "SOMS Validations" and
15 then "CARS record review/administration."

16 Can you tell me in the context of this
17 document what those three terms mean and what the
18 statistics that appear on the further right-hand
19 columns mean?

20 A. So, I'll do this to the best of my
21 recollection because this is obviously a long time
22 ago.

23 Q. Right.

24 A. Customer/license master record review and

1 administration, any time we had to change a license, a
2 customer license, update it, change it or create it,
3 or any part of a customer master record, such as name,
4 address, street number, postal code, anything like
5 that, that is a record change, and this would indicate
6 that in the year of -- you know, in each year what per
7 each person the average amount that they were changing
8 monthly per person.

9 And the same thing on SOMS validations,
10 how many each person was identifying or how many each
11 valid -- how many validations each person on the team
12 was addressing each and every month.

13 And the same thing, CARS was contract --
14 the contract system, and if there were updates that
15 had to be addressed for each contract customer, same
16 thing. Maybe it was, like, a HIN number or a license
17 number or something like that for a contract customer.

18 Master record, they would have to go in
19 and do those as well, and that was the amount of
20 records they had to update in that system each month.

21 Q. Okay. So you used the term "HIN numbers,"
22 is that HIN?

23 A. Health identification number.

24 Q. All right. So, and the -- the middle one

1 there, it says "SOMS validations"?

2 A. Correct.

3 Q. What does the term "SOMS validation" mean?

4 A. That would -- that would be the SOMS pend
5 and investigation.

6 Q. So with regard to the numbers that appear
7 on the right, in 2010 there was an -- for each person
8 and the relevant person in the group, they performed
9 167 SOMS validations per month, is that right?

10 A. Per each person.

11 Q. Right. And then each person performed an
12 average of 280 SOMS validations per month in year to
13 date August 2011, is that right?

14 A. That is correct.

15 Q. All right. And then it says there is a
16 67.7 percent increase?

17 A. Per person.

18 Q. Per person.

19 Do you remember being surprised that there
20 is a 67 percent -- 67.7 percent increase in SOMS
21 validations at Watson in 2010 to year to date
22 August 2011?

23 A. I couldn't tell you at this time if I
24 thought that at that time.

1 Q. Do you remember ever having a discussion
2 that the average number of SOMS validations per month
3 per employee had increased by two-thirds between
4 August -- or between 2010 and August 2011?

5 A. We evaluated it every month and would
6 analyze the situation.

7 Q. But do you remember in particular ever
8 commenting or hear anybody else commenting that the
9 average number of SOMS validations per month per
10 person had increased substantially?

11 A. Yes.

12 Q. Okay. Do you remember any particular
13 conversations about that?

14 A. To the back of my -- best of my
15 recollection, myself and Sandra Simmons would meet up
16 with Tom and we would have a discussion about it.

17 Q. Do you remember whether there was any plan
18 of action or -- or plan to address the increased
19 number of monthly average per person SOMS validations?

20 A. There could have been. We could have
21 talked to Tom, we could have evaluated what the cause
22 was and then determine if anything needed to be or
23 could have been based on how the system was set up.

24 Q. Do you remember whether there actually

1 were any conversations like that?

2 A. Yes, there were.

3 Q. So can you tell me about them?

4 A. I don't remember the exact conversations.

5 I do remember they took place.

6 Q. Okay. And who was in the conversations?

7 A. It would have been myself and Sandra
8 Simmons and Tom Napoli, to the best of -- to the best
9 of my knowledge. There could have been other people.

10 Q. And do you remember what the result of the
11 conversations were?

12 A. I don't recall exactly what the change was
13 in it, but I do know there were some changes that he
14 felt were very low risk.

15 Q. Can you describe generally what the
16 changes were and were there more people hired or
17 something else?

18 A. I can't recall right off the top of my
19 head.

20 Q. All right. And you are looking through it
21 and the -- I was going to ask you to do that next, if
22 there is a headcount --

23 A. That's what I was looking for.

24 Q. All right.

1 If there is a headcount increase or some
2 other proposal inside the budget to address that
3 issue.

4 A. I don't see that addressed in here.

5 Q. And the -- the SOMS validations or the --
6 the group that performs the SOMS validations is not
7 broken out as a separate budget item in this document,
8 is that right?

9 A. No, it is not.

10 Q. And as you look at the subsequent pages
11 here, for example, the Page 070, there are various
12 organizational charts.

13 Do you see that?

14 A. I do.

15 Q. And the -- the one on Page 7070 has on the
16 right-hand side Sandra Simmons.

17 Do you see that there?

18 A. I do.

19 Q. And underneath there are various names.

20 Is there one person who would be most
21 responsible for the SOMS validations in that group?

22 A. It would have been the three people on the
23 right-hand side, Vicky Lepore, Mary Moskello and Larry
24 Shaffer.

1 Q. Is there anything else as you read this
2 070 page who would have been a responsible for the
3 SOMS validations?

4 A. Sandra Simmons would have had the ability
5 to also participate in there.

6 Q. All right. So when you -- you go up to
7 the preceding page, the 069, and it is just like a --
8 above here, and there is a "High Level Org Chart,"
9 that's what it's titled, "Customers Relations
10 Operations," quote, "High Level Org Chart," it says
11 Sandra Simmons on the right-hand side.

12 Does that describe the number of people
13 who were handling the SOMS validations?

14 A. It's -- it's encompassed under her team as
15 well.

16 Q. All right. So it says there, "three
17 master data administrators" and "three order
18 processing administrators"?

19 A. Correct.

20 Q. Would there be other people in the
21 customer relations operations who would have worked
22 with the SOMS validations?

23 A. Not that I can recall.

24 Q. Okay. And would it have been the three

1 master data administrators as well as the three order
2 processing administrators or just one of those two?

3 A. I only recollect that the master data
4 administrators had the ability to do that.

5 Q. All right. So out of all of the people
6 who are mentioned in the 060 -- or 069 and 070 charts
7 as you think about it, the people most responsible for
8 the SOMS validations would have been the three master
9 data administrators who were listed in the 069 chart,
10 is that fair to say?

11 A. Yes, at this point in time that's my
12 recollection.

13 Q. All right.

14 And is there anything on that chart or
15 anyone else anywhere else in this document that you
16 recognize as -- as a request to increase that number
17 of master data administrators?

18 A. Not to the best of my knowledge.

19 Q. All right.

20 And as you go further into this document,
21 starting on Page 081 and through the end of the
22 document, there are various other or -- organizational
23 charts.

24 And can you -- as you look at them today,

1 do you have a memory of who would have prepared these
2 charts?

3 A. I don't even know what time period these
4 would have been from.

5 Q. Okay. So if you turn to Page 084 there is
6 a notation there. It states: "Sandra Simmons,
7 Manager - Support Services, Morristown"?

8 A. Correct.

9 Q. And it says -- below her there is a
10 statement that says, "Open Position, OP Supervisor"
11 and then JoAnne Wo- --

12 A. Wobeser.

13 Q. Wobeser, W-o-b-e-s-e-r. And it says:
14 "Department Coordinator Morristown." And then next to
15 that it says: "Victoria Lepore, Customer Master
16 Administrator, Morristown" and then "Jeanette
17 Huebner"?

18 A. Huebner.

19 Q. Huebner. And it is "Customer Master
20 Administrator, Morristown," and then "Mary Moskello,"
21 M-o-s-k-e-l-l-o, "Licensing Administrator,
22 Morristown," and "Larry Shaffer, Licensing
23 Administrator, Morristown."

24 Now, as you read this organizational

1 chart, does it relate to the three people who are
2 mentioned in the 069 page as the three data
3 administrators?

4 A. Vicky Lepore, Mary and Larry I would be --
5 believe would be. That would be correct, Larry, Mary,
6 and Vicky are the three same people. And Sandra
7 Simmons.

8 Q. And then the 069 chart states the three
9 order processing administrators.

10 Are those the other three people there,
11 the open position, Ms. Wobeser and Ms. Huebner?

12 A. This -- this chart on 084 appears to be
13 completely irrelevant to this period of time.

14 Q. Oh.

15 A. I don't know where this is from.

16 Q. All right. I'm sorry.

17 A. No, that's okay.

18 Q. I -- I'll tell you just from our -- our
19 processes, this was produced as a -- what's referred
20 to as a family, so I just printed out the whole thing
21 because I thought it was a bulk unit.

22 A. Yeah, this is completely a different
23 period of time. I --

24 Q. Okay.

1 A. -- I don't know when this is from.

2 Q. Well, then that's fine.

3 A. That's okay.

4 Q. So then set it a -- set it aside. All
5 right. And I think that's all we have for this
6 document.

7 All right. And I'll hand you what we'll
8 mark as Exhibit 34.

9 (WHEREUPON, a certain document was
10 marked Allergan - Woods Deposition
11 Exhibit No. 34, for identification,
12 as of 01/10/2019.)

13 BY MR. EGLER:

14 Q. Ms. Woods, can you look at what I've
15 marked as Exhibit 34, and as you are looking at it,
16 I'll read into the record, it's noted as Bates numbers
17 Allergan_MDL_02187194 through 87195.

18 And when you are ready, can you tell me
19 what this appears to you to be?

20 A. This is an e-mail from DEA compliance to
21 Andy Boyer and Scott Soltis regarding Capital
22 Wholesale.

23 Q. Okay. And the date on this is
24 December 13th, 2012, is that right?

1 A. That is correct.

2 Q. So do you have a memory independent of
3 this document of a investigation of an entity called
4 Capital Wholesale?

5 A. I do.

6 Q. What do you remember about that?

7 A. I remember that we discontinued the sales
8 of controlled substances to Capital Wholesale.

9 Q. Do you remember ever sitting down in a
10 meeting discussing that with other people at Watson?

11 A. I do.

12 Q. All right. And this is right -- excuse
13 me -- around the time of the Watson/Actavis merger, is
14 that right?

15 A. Yes.

16 Q. All right. Do you remember whether as
17 part of this process the people -- anyone from Actavis
18 was involved in the decision to cut off Capital
19 Wholesale?

20 A. I do not. I would -- I -- I do not
21 believe they would have been involved. I don't recall
22 them being in the meeting.

23 Q. All right. So do you remember around the
24 end of 2012 whether there was a -- there was

1 communication between you and your equivalent with
2 regard to suspicious order monitoring systems at
3 Actavis on any issues?

4 A. I -- I can't recall if there was or was
5 not.

6 Q. All right. Do you remember ever meeting
7 with someone from Capital Wholesale Drug around this
8 time?

9 A. Can you be specific when you say
10 "meeting"?

11 Q. Oh, did you have an in-person meeting with
12 them?

13 A. I did not have an in-person meeting with
14 them.

15 Q. Do you remember ever talking on the phone
16 with anyone from Capital Wholesale Drug?

17 A. Yes, I believe I did.

18 Q. Okay. Do you remember any part of that
19 conversation or the nature of it or anything?

20 A. Yes. We had a partnership call with them.

21 Q. Okay. When you say "a partnership call,"
22 what does that mean?

23 A. A partnership call was a very commonplace
24 between myself, the compliance team and our customers

1 if we had concerns about their orders of controlled
2 substances.

3 Q. All right. So the term "partnership call"
4 in the -- in the context of your work is a term of
5 art, is that fair to say?

6 A. I guess you could say that.

7 Q. Because you wouldn't typically have a
8 partnership call when things were going well, is that
9 right?

10 MS. LEVY: I'm going to object to form.

11 BY THE WITNESS:

12 A. We had partnership calls to make sure they
13 were aware of our concerns.

14 BY MR. EGLER:

15 Q. Right.

16 A. And to gain information.

17 Q. And I guess what I was saying was, the
18 partnership call wasn't a -- a regularly-scheduled
19 event like quarterly or monthly or annually?

20 A. No, I would -- I wouldn't say that. Maybe
21 not with the compliance team, but we did have other
22 partnership calls with customers for, like,
23 forecasting just on standard products and, you know,
24 other business needs.

1 Q. If -- if you became involved, you
2 personally became involved in a partnership call,
3 would that be part of a regularly-convened partnership
4 call?

5 A. I'm sorry.

6 MS. LEVY: Object to the form.

7 BY THE WITNESS:

8 A. Yeah, I'm -- I'm -- I'm a little bit
9 confused.

10 BY MR. EGLER:

11 Q. So you had said that Watson in your
12 estimation had regular partnership calls with its
13 customers, and at the same time there are also
14 partnership calls that involved the controlled
15 substance compliance team and -- and your
16 organization.

17 Would your organization be involved in the
18 regularly-held partnership calls?

19 A. I was involved in some standard
20 partnership calls that we had outside of the scope of
21 suspicious order monitoring partnership calls, but I
22 was involved in every controlled substance partnership
23 call with customers to the beck of -- best of my
24 recollection.

1 Q. Do you remember the circumstances under
2 which you'd be involved in a regularly-held
3 partnership call?

4 A. Yes, I do.

5 Q. What would be the circumstances?

6 A. You know, I would join our team members
7 that were responsible for supporting the wholesalers
8 on, you know, forecasts or if there was a shipping
9 issue, if our distribution center was going to be on
10 the call, if they needed to change an order date or a
11 ship date, or general things like that just to ensure
12 our team was doing their job correctly and --

13 Q. So on --

14 A. -- doing the best service to customers.

15 Q. -- on the regularly-held partnership calls
16 that you attended, would you attend to discuss part of
17 the suspicious order monitoring system or any pending
18 orders or something like that?

19 A. If it was a partnership call for
20 controlled substances, typically we would have the
21 compliance team on the phone with us.

22 Q. All right. And who from the compliance
23 team -- let me start over.

24 So the compliance team as -- as I've been

1 understanding it today, was separate from your
2 organization, is that right?

3 A. I'm sorry. Separate from my organization
4 meaning?

5 Q. You were in customer service and the
6 compliance team was not -- you did not report to them
7 and they did not report to you, is that right?

8 A. That is correct.

9 Q. So on an organizational chart, you
10 wouldn't be above or below the compliance team?

11 A. That is correct.

12 Q. So to the extent they appeared on a
13 regularly-held partnership call and -- and you or
14 someone from your team appeared on a partnership call,
15 would you have different issues to talk about or would
16 you appear for the same reasons, for different reasons
17 or something else?

18 A. They generally -- it was a joint
19 partnership call that was agreed upon and they were --
20 there was a set agenda typically and we would -- yeah,
21 it was for the same -- it was for the same agenda, we
22 were on there for the same agenda.

23 Q. All right. All right. You can set this
24 document aside.

1 Ms. Woods, I'm going to hand you what
2 we'll mark as Exhibit 35.

3 (WHEREUPON, a certain document was
4 marked Allergan - Woods Deposition
5 Exhibit No. 35, for identification,
6 as of 01/10/2019.)

7 BY MR. EGLER:

8 Q. Ms. Woods, can you look through
9 Exhibit 35, and I'll represent to you, again, this was
10 produced to us in this case, and as it was produced
11 electronically, you were listed as the custodian of
12 it, and -- but this was the entire family of
13 documents. It didn't have another -- it wasn't
14 attached to an e-mail or something like that.

15 So can you look through it and -- and as
16 you are looking through it, I'll read on the record,
17 it is Allergan_MDL_03802654 through 2687.

18 And when you are ready, can you tell me
19 whether you recognize this document?

20 A. It looks familiar.

21 Q. Okay. What is it?

22 A. So periodically we would do presentations
23 to other teams within the organization, other
24 responsibilities of our team, so this looks like a

1 presentation that we put together to do a presentation
2 to a team.

3 Q. Do you remember what team you presented
4 this presentation to?

5 A. I do not.

6 Q. And your name appears on the first page of
7 this Exhibit 35, is that right?

8 A. It does.

9 Q. Do you remember whether you made this --
10 let me start over, use a better verb.

11 Do you remember whether you presented the
12 data that appears in this document, Exhibit 35, to
13 someone in 2012?

14 A. I don't -- I don't, but that's what this
15 was prepared for.

16 Q. And as part of your work at Watson
17 Pharmaceuticals, would you regularly do these types of
18 presentations?

19 A. I wouldn't say regularly, but we did do
20 them on occasion.

21 Q. All right. So as you go into this
22 document, there is the same -- on Page 2 of the -- or
23 the second page of the document, they are not listed
24 by page number, but the second page of the document,

1 which is 2655 on the Bates number, there is the same
2 type of "High Level Org Chart."

3 Do you see that there?

4 A. I do.

5 Q. And then on the next page, it says
6 "DNA/CRA Alignment."

7 Do you see that on Page 56?

8 A. I do.

9 Q. So the DNA, I think you had said before,
10 is director of national accounts?

11 A. That is correct.

12 Q. And what does CRA mean in the context of
13 your work?

14 A. Customer relations administrator.

15 Q. Okay. What does a customer administrator
16 relay -- could you say that again?

17 A. Customer relations administrator.

18 Q. What is a customer relations
19 administrator?

20 A. It is basically a customer service
21 representative.

22 Q. All right. So as you look at the headers
23 that appear at the top of this Page 656, does that
24 show the alignment between the customer relations

1 administrator and the director of national accounts at
2 Watson around 2012 as you understand it?

3 A. Yes, that's -- appears to be what that is.

4 Q. So for each of the director of national
5 accounts, there was a separate customer relations
6 administrator, is that right?

7 A. Yes.

8 Q. All right. So I want to look at a couple
9 of -- a couple of names that appear on this page.

10 The first one -- well, let's start over.

11 Who on this list is the DNA and who on
12 this list is the CRA?

13 A. The person on the top row --

14 Q. Uh-huh.

15 A. -- is the director of national accounts.

16 Q. Okay.

17 A. And the person on the sub row below that
18 is the customer relations administrator. And you'll
19 see there are two. So there is two customer relations
20 administrators on each row that help support the
21 director of national accounts.

22 Q. All right. And we finally have the
23 spelling of Tony's last name, right?

24 A. We sure do.

1 Q. All right. So Tony Giannone, is that how
2 you say it?

3 A. Close enough.

4 Q. All right. It is G-i-a-n-n-o-n-e. And he
5 appears on the upper left-hand side there.

6 So underneath his name and underneath the
7 other names, there is a -- various company names
8 listed there. What does that represent as you read
9 this list?

10 A. Those would be the accounts under each one
11 of the director of national account's territories.

12 Q. So the national -- the director of
13 national accounts would have those companies as his or
14 her customers and then the customer relations
15 administrators would also support those companies, is
16 that right?

17 A. That is correct.

18 Q. All right. So like the first one there is
19 AmerisourceBergen?

20 A. Correct.

21 Q. And so at this time at the end of -- no.
22 Let me start over.

23 At this time in the year 2012, as you
24 think of it, does this -- does this accurately reflect

1 the breakup between the various directors of national
2 accounts and the customer relations administrators at
3 Watson?

4 A. To the best of my knowledge.

5 Q. All right. So --

6 A. At the point that this was created.

7 Q. Right.

8 And a -- as you read this document, so far
9 there is no indication about the particular day inside
10 2012 where this document was created or present --
11 presented, right?

12 A. That's correct.

13 Q. All right.

14 And so in the second column there is Vince
15 Rin- --

16 A. Rinaudo.

17 Q. Rinaudo.

18 A. Uh-huh.

19 Q. It is R-i-n-a-u-d-o.

20 And -- and his parallel customer relations
21 administrators are Renee Hernandez and Jeff Gee?

22 A. That is correct.

23 Q. And his -- his name is spelled G-e-e.

24 A. Correct.

1 Q. And underneath him, about half the way
2 down is the word "McKesson," is that right?

3 A. Half the way down.

4 Yes, that is correct.

5 Q. All right. And then David Schmidt is
6 listed as the next director of national account and
7 Michelle Garcia and Christi Hammonds are the parallel
8 customer relations administrator. And then Maureen
9 Bennett is listed as a director national of account --

10 A. Barrett.

11 Q. Barrett?

12 A. It is two Rs, correct.

13 Q. Sorry. And it is B-a-r-r-e-t-t.

14 And it's -- the parallel customer
15 relations administrators are Bea Padilla,
16 P-a-d-i-l-l-a, and Vicky Goldy, G-o-l-d-y, right?

17 A. Correct.

18 Q. And then underneath the Maureen Barrett
19 there is the word "Anda."

20 Do you see that there?

21 A. I do.

22 Q. Do you know what Anda is?

23 A. Anda is a distributor.

24 Q. All right. Do you know who owned Anda at

1 this time?

2 A. Yes. They were owned by Watson.

3 Q. All right. So with regard to the sales
4 or -- or -- or relationship with Anda, do you know
5 whether they were treated as a -- as a sales account
6 or some other treatment was given to them that was
7 different from other?

8 A. Absolutely no different treatment.

9 Q. All right. So there is Anda that's listed
10 there -- oh, at some point did Watson or one of its
11 successors sell Anda to someone else?

12 A. That probably would not be a question for
13 me. I'm sorry.

14 Q. Right. Let me ask this.

15 Do you know whether Anda is still part of
16 Allergan?

17 A. Anda is not a part of Allergan.

18 Q. Today?

19 A. Correct.

20 Q. All right. So, and then moving down
21 there, there is the word "Cardinal."

22 Do you see that there?

23 A. I do.

24 Q. All right.

1 And so that would indicate that
2 Ms. Barrett and then pare -- in a parallel fashion
3 Ms. Padilla and Ms. Goldy were responsible for the
4 Cardinal account, is that right?

5 A. That is correct.

6 Q. All right. So let's move on.

7 A. One part I just want to go back --

8 Q. Oh, yeah.

9 A. -- Anda.

10 I should state, like, as far as my side of
11 the business goes, Anda was handled completely
12 independently. I don't know from an entity setup or
13 anything if they were different. So I just --

14 Q. Right.

15 A. -- have to clarify that because that is
16 not my side of the business.

17 Q. No, I appreciate you saying that.

18 A. Okay.

19 Q. And -- and, again, today, yeah, I am
20 asking just for your personal knowledge.

21 A. Yes, that's -- I just wanted to clarify,
22 I -- I -- I wouldn't be able to help on that end of
23 it.

24 Q. Right, right.

1 Yeah, and so what I'm asking is everything
2 you say today in the con -- is in the context of your
3 own knowledge. There is no expectation that you would
4 go out and find the answers --

5 A. Right.

6 Q. -- or stuff like that.

7 All right. All right. Great.

8 So can you move ahead into this document
9 and look at what's marked as Exhibit 5 -- or 659. It
10 is, like, three pages ahead.

11 All right? And it's different from the
12 other pages that we've looked at so far.

13 Do you recognize what this Page 659 is?

14 A. It looks like it is a notes page at the
15 bottom of a slide.

16 Q. So these are notes that would appear in
17 a -- in a PowerPoint presentation, is that right?

18 A. That appears to be what that is.

19 Q. Do you remember typing notes like this as
20 part of your work at Watson?

21 A. If I needed to remember something on a
22 slide.

23 Q. All right. And these notes would appear
24 to you during the presentation but not necessarily

1 appear if you were showing the presentation up on a
2 screen or something?

3 A. That would be correct.

4 Q. All right. So going to the next page,
5 Page 660, this is similar to the budget summary that
6 we were looking at before, is that right?

7 A. That is correct.

8 Q. All right. And as you go down into this
9 budget summary, again, the term masta -- "master data
10 statistics" appears about three-quarters of the way
11 down, is that right?

12 A. Yes, it does.

13 Q. All right. So -- and this is a little bit
14 different from the one that we had been looking at
15 before. It seems to have a broader group of numbers
16 listed.

17 So for SOM validations, do you see that?

18 A. I do.

19 Q. It says the monthly average per MDA of
20 SOMS validations in 2009 was 62.

21 Is that right?

22 A. That's what it states.

23 Q. And then it states that in 2010 the
24 monthly average per MDA SOMS validation was 167, is

1 that right?

2 A. That is correct.

3 Q. And then it states that the year to date
4 October 2011, the monthly average per MDA SOMS
5 validations is 280?

6 A. Correct.

7 Q. And in the last column over, it states
8 that the 2009 year to date versus -- no -- 2011 year
9 to date versus 2009 year to date percent of change for
10 the monthly average per MDA SOMS validation is
11 351.6 percent, is that right?

12 A. That is correct.

13 Q. And do you remember why you presented that
14 particular piece of information in -- in this
15 presentation?

16 A. Because it was part of the productivity
17 statistics.

18 Q. All right. So that would signify
19 substantially increased productivity, is that right?

20 A. Yes, it would.

21 Q. All right. Do you remember ever having a
22 discussion about whether to increase the headcount
23 with regard to SOMS validations around this time?

24 A. Well, this would have been around the same

1 period of time. It could have been that we had a
2 headcount decrease which could have been leading to
3 that increase. I don't -- I don't recollect.

4 Q. All right. So the increase in average --
5 the increase in the monthly average per MDA of SOMS
6 validations may have, and you don't know either way,
7 may have been created by a decrease in the number of
8 people performing SOMS validations, is that right?

9 A. Or because we were bringing on Actavis
10 employees. Right? This is right at the Actavis...

11 Q. So people would have been let go --

12 A. We --

13 Q. -- in --

14 A. No. My point is, right, we have an
15 increase, but we might not have brought on extra
16 headcount because we were going to be gaining
17 employees.

18 Q. Okay. So is it fair to say if there were
19 a decrease, you might have recognized it as a
20 temporary decrease that would have been subsequently
21 increased after the merger had been completed?

22 A. I might have gained employees after the --

23 Q. Yeah.

24 A. -- acquisition.

1 Q. All right.

2 So moving on into this document, the two
3 pages -- or one page ahead -- wait, next two pages
4 ahead, Page 662, it says, "2012 Objection" --
5 "Objectives," and it states: "SOMS Systems - Partner
6 With DEA Affairs to" and then it says: "DEA affairs
7 initiative - MD owner in SAP."

8 As you read that language that's there,
9 could you explain what your impression is what that
10 means?

11 A. I don't know what the initiative was
12 now --

13 Q. Okay.

14 A. -- back from 2012.

15 Q. All right. But we are getting closer than
16 2004, right?

17 A. Yeah, we are getting closer.

18 Q. All right.

19 All right. So you, as you sit here today,
20 you don't have a memory of what the DEA affairs
21 initiative was.

22 And then there is that word -- or that
23 term "MD owner in SAP."

24 Do you have a memory or an impression of

1 what that means?

2 A. I mean, I know MD is master data, but I'm
3 not sure what the initiative was that would have been
4 captured under that without more detail.

5 Q. All right. So can you turn to the next
6 page, and it's Page 663, and it says "Controlled
7 Substance Compliance," and then colon, "A
8 Collaborative Team Approach."

9 Do you see that?

10 A. I do.

11 Q. And then there is a picture on that
12 page above there. It's an oxycodone and acetaminophen
13 tablets.

14 Do you see that there?

15 A. I do.

16 Q. Do you remember around this time whether
17 Watson was shipping oxycodone and acetaminophen
18 tablets?

19 A. I'm assuming from the picture we must have
20 been.

21 Q. All right. So the next page states:

22 "What is SOM," and then in parentheses,
23 "(Suspicious order management)?" And then it's noted
24 as 664 in the Bates numbers.

1 A. Um-hum.

2 Q. And this page lists out some text and it
3 says:

4 "SOM," and then in parentheses,
5 "(Suspicious Order Management)," close parentheses,
6 "is a DEA requirement," and then parentheses, "(21 CFR
7 1301.74)," and then in parentheses the letter "(b)"
8 which, and then it's italicized, "specific re" --
9 "specifically requires that a registrant 'design and
10 operate a system to disclose to the registrant
11 suspicious orders of controlled substances.'"

12 And then the next group of text says:

13 "What is a 'suspicious' order?"
14 "'Suspicious,'" and close quote, "order."

15 It says: "DEA 21 CFR 1301.74(b) describes
16 suspicious orders as having significant deviation in
17 Order Size," and then in parentheses, "(Quantity),
18 Order Frequency, and/or Order Pattern."

19 Do you remember why you put this language
20 in this presentation?

21 A. Well, whatever team we were giving this
22 for we were talking about this particular process,
23 that this may have been at a DEA summit with the rest
24 of the controlled substance compliance team that would

1 have benefited from this.

2 Q. Okay. Do you remember where you got the
3 language for this for the 21 CFR 1301.74(b)?

4 A. This might have come from compliance.
5 This might have come from a compliance presentation.
6 This was a separate presentation at one time.

7 Q. All right. So -- because the language of
8 the CFR is slightly different.

9 A. Different, uh-huh.

10 Q. It doesn't say "suspicious orders as
11 having" it says "including" as opposed to "as."

12 Do you remember making that distinction?

13 A. I -- I don't remember creating this slide
14 myself, so...

15 Q. Okay. Do you remember ever -- anybody
16 ever pointing that out to you?

17 A. No, I -- I don't.

18 Q. All right. So in that --

19 A. This slide could have been changed at some
20 point. I don't know.

21 Q. All right. And then as you go down, it
22 states: "Anti-diversion is proactive, not reactive."

23 Do you see that there?

24 A. Yes, I do.

1 Q. And it says: "Controlled substance
2 regis" -- "registrants are required to place on hold,
3 investigate, and disclose to the DEA all suspicious,"
4 and then it says in bold and capitals, "ORDERS of
5 controlled substances;" and then in bold and capitals
6 the word "NOT suspicious," and then bold and capitals
7 the word "SALES after the fact."

8 Do you remember writing that?

9 A. No.

10 Q. All right. Do you remember discussing
11 that concept that the -- the DEA required report of
12 suspicious orders of controlled substances and not
13 suspicious sales after the fact around this time,
14 2012, with people at Watson?

15 A. I remember attending DEA summits that we
16 had at our company where this was a topic in general
17 and we discussed all of this.

18 Q. When you use the term "DEA summit," just
19 so we're clear, was someone from the DEA in attendance
20 at those DEA summits or was it a summit of the DEA
21 group at Watson?

22 A. There would be DEA summits where we would
23 have people from the DEA actually come in to the
24 company. I don't remember the exact time, but this

1 would have probably come from that meeting or
2 presentation.

3 Q. Do you remember a particular DEA summit
4 around this time, 2012, where that issue that the
5 orders of controlled substances, not suspicious sales
6 after the fact, was discussed?

7 A. I believe that this presentation would
8 have come from that summit or likely right before.

9 Q. Do you remember who from the DEA was at
10 Watson at the time?

11 A. I -- I don't remember who. Tom sets --
12 Tom Napoli set those up, so I don't remember who the
13 representative was.

14 Q. Okay. Do you remember ever meeting a
15 representative from the DEA around this time period in
16 2012?

17 A. I could have. I probably don't remember
18 the name of the person.

19 Q. Okay. You don't remember either way?

20 A. I don't remember it either way.

21 Q. All right.

22 All right. So the next page, 665, there
23 is another note page, is that right?

24 A. Yes.

1 Q. It says:

2 "Protects Watson, protects your customers.

3 We are required to know our customer's customer."

4 Now, that appears to be a note, is that
5 right?

6 A. That appears to be a note.

7 Q. All right. So do you remember writing
8 that sentence:

9 "Protects Watson, protects your customers.
10 We are required to know our customer's customer"?

11 A. No, I don't -- I don't know that this was
12 my part of the presentation. I can't say one way or
13 another.

14 Q. Okay. Do you remember ever using that
15 phrase or that sentence: "Protects Watson, protects
16 your customer"?

17 A. I can't say one way or another.

18 Q. Okay. Do you remember around this
19 timeframe ever using the second sentence: "We are
20 required to know our customer's customer"?

21 A. I don't know if I did at that time or not.

22 Q. All right. So moving on into this
23 document, it's Page 2666, there is another chart that
24 says: "SOMS System Flow."

1 Do you see that there?

2 A. I do.

3 Q. Do you remember who created this
4 flowchart?

5 A. This is -- this would have been created by
6 our SAP team is how the flow worked.

7 Q. And as you think of it, around this time,
8 2012, who was on the SAP team?

9 A. Oh, gosh. I don't know if I can remember
10 the people that were in IT.

11 Q. Was there a particular person on the SAP
12 team that supported the -- the customer service group
13 that you were a head of?

14 A. This would not have been a customer
15 service function.

16 Q. Okay.

17 A. This would have been a different function.
18 This -- yeah, there wasn't people assigned to customer
19 service.

20 Q. Okay. So as you think of this, the SOM
21 system flow being a function of a different group,
22 what group would it have been a function of?

23 A. This would have been under probably order
24 to cash and this would have been -- this would have

1 actually been developed when we put SAP in in 2004,
2 this would have been configuration.

3 Q. Okay. So below the -- or in the bottom
4 half of the Page 666 that's the SOM system flow --

5 A. Correct.

6 Q. -- there is a box and inside the box it
7 says "SOMS validation system," right?

8 A. Correct.

9 Q. And it has various diamonds and squares?

10 A. Um-hum.

11 Q. And do you know what that is supposed to
12 represent?

13 A. Yes, I do.

14 Q. What does [sic] that supposed to
15 represent?

16 A. So, this is the blocks for the different
17 validations for order quantity, which would be size;
18 frequency based on monthly averages, how many times
19 they ordered; pattern; and then also in addition to
20 size, frequency and pattern, we also went above and
21 beyond that and as you could see on the last couple,
22 it was also measuring up against classes of trade so
23 that we could look and see if customers, even
24 regarding size and frequency, how they measured up --

1 up against other people that were in the same classes
2 of the trade in there. So if you were a wholesaler,
3 it measured you up against other wholesalers based on
4 your order size and monthly averages.

5 So it measured people on order, order
6 size, order frequency, and up against people in their
7 same kind of class of trades.

8 Q. So yesterday we were talking about a -- an
9 algorithm that was part --

10 A. Yes.

11 Q. -- of the SOMS validation system.

12 Is that what this is?

13 A. Yes.

14 Q. All right. And as you think of it, is
15 this the entire algorithm as it is presented or was
16 there more to it?

17 A. This would be the system logic, that would
18 be correct.

19 Q. Okay. And that's a term you used
20 yesterday was "the system logic"?

21 A. Yes --

22 Q. Right?

23 A. -- um-hum.

24 Q. I think you had said the system logic that

1 you were talking about came from the DEA website, is
2 that right?

3 A. Yeah, DEA.DOH.gov, yep.

4 Q. All right.

5 A. Dot com. Uh-huh.

6 Q. So, with res --

7 A. Well, I did -- what I said was I don't
8 know if that's where it came from, but what I
9 commented on is that this mimics that. From my
10 knowledge, it mimics that.

11 Now, whether that's where we took it from
12 or that's how Tracey, where she got it from, I don't
13 know. I just know that that's what it appears to be.

14 Q. Okay. And you used that term "class of
15 trade" --

16 A. Uh-huh.

17 Q. -- for COT that appears on this Page 2666.

18 The class of trade data that you are
19 thinking of --

20 A. Uh-huh.

21 Q. -- we had been talking earlier about sales
22 data that was sales of at -- at this time Watson
23 product and sales data that was not only Watson but
24 other comparable NDC number product.

1 Is it your impression that this COT data
2 that's listed there was only Watson product that was
3 sold to these other --

4 A. Yes. We wouldn't be able to capture other
5 people's NDC numbers in our ERP system.

6 Q. All right. And there was never an
7 attempt, as far as you know, to do that, is that
8 right?

9 A. I don't even know how you would do that.

10 Q. All right.

11 A. That would mean that you would have to
12 have every single customer, every single
13 manufacturer's data in your ERP system. I think that
14 would be illegal. I don't think they would allow you
15 to have their information in your system.

16 Q. Do you know whether there was ever an
17 attempt to examine any information that Watson had
18 acquired regarding comparable NDC numbers to import
19 into the SOM system?

20 A. I -- I don't even know how you do that. I
21 mean -- I mean, you have to think about the amount of
22 data. I -- that would be taking every single
23 manufacturer's data that has a like product and
24 creating your own interoperable system. I can't even

1 imagine the on taking of that. And you would have to
2 have an agreement by every manufacturer. It would
3 have to be -- it would have to basically be an
4 agreement by all companies to create an interoperable
5 system. And I don't know if that was ever a
6 discussion.

7 I know that -- I think, you know, from
8 what I remember having conversations with Tom about
9 this several times is going back to the DEA to say,
10 Can we have this discussion about creating an
11 interoperable system so that this data would be
12 available. And I don't think we -- you know, I -- I
13 don't know what the response was. I know it didn't
14 happen.

15 I don't know, you know, exactly -- he
16 might have more information on the outcome of that,
17 but the on taking to be able to make that happen, and
18 it would be like you having your own personal computer
19 and you going to somebody and saying, like, I want all
20 of your data, but I want it in my computer. And you
21 are not going to get an agreement from people. They
22 are going to say, Well, wait, you are going to have
23 all of my market data and all of my information and
24 nobody is going to agree to that.

1 So I'm -- I'm not sure. Tom probably
2 would be able to provide information from the DEA.

3 Q. So with regard to the term you used there,
4 "market data," there were sources of market data that
5 Watson as a company either purchased or came into
6 possession of regarding other NDCs, is that correct?

7 A. The tools that we had available to us that
8 provided -- I'm -- I'm not sure. I'm not a marketing
9 person --

10 Q. Uh-huh.

11 A. -- so I don't -- and when you say "other
12 marketing tools," what are you referring to?

13 Q. Well, so, for example, one of the earlier
14 exhibits that we looked at when you reached out to the
15 marketing group and asked for market data on
16 comparable what you referred to as SKUs then, that
17 type of data was available to the marketing team,
18 right?

19 A. Yeah, so what they commented on is that
20 was customer feedback that they received.

21 Q. Uh-huh.

22 A. Is that what you are referring to, is
23 actual customer feedback?

24 Q. It was data, wasn't it?

1 A. I think that memo said that it was
2 customer feedback that they had.

3 Q. All right. I guess we can look at it.

4 MR. EGLER: Do you have it?

5 BY THE WITNESS:

6 A. If I'm not mistaken, that's what Toni had
7 commented back on.

8 I'm sorry. I thought she just said
9 feedback, on feedback --

10 BY MR. EGLER:

11 Q. No, that's fine.

12 A. -- from our customers.

13 MS. COVERSTONE: I think that's at 612.

14 BY THE WITNESS:

15 A. Is that at 612?

16 BY MR. EGLER:

17 Q. So at -- on this Page 612 --

18 A. Yeah.

19 Q. -- there is various text, and at the
20 bottom Ms. Picone says:

21 "I have attached recent TRx data from IMS
22 so you can see the market trends by competitor."

23 A. So that's --

24 Q. Do you see that there?

1 A. -- IMS data --

2 Q. Uh-huh.

3 A. -- is what you are referring to?

4 Q. Yeah.

5 A. So I'm not sure how that would go.

6 So that is total Rx data that comes in
7 from IMS. How -- I -- I'm not sure how that would
8 actually assist us because it doesn't tell us -- I'm
9 not sure that that's going to tell us -- that's --
10 that's when a prescription gets written, but it
11 doesn't tell us who actually is getting, as a total Rx
12 is the script. I'm not sure that that tells us what
13 wholesaler or what pharmacy. I don't know how that
14 feeds into a --

15 Q. Do you know whether there --

16 A. -- SOMS system.

17 Q. Oh, go ahead.

18 Do you know whether there was ever an
19 attempt to find data that would break down from a
20 distributor or a pharmacy point of view either from
21 IMS or any other source a -- a view of complimentary
22 SKUs or NDC codes that could be fed into the SOMS
23 system?

24 A. So, at my level, being on the SOMS

1 operational side, I wasn't inv -- involved in, you
2 know, working groups of people doing that.

3 Q. Uh-huh.

4 A. The compliance teams probably were. I
5 think they would be good people to ask about, like,
6 what the working teams were trying to create to come
7 up with that, but at my level on the operational side,
8 we were not involved in those working groups.

9 Q. And you don't remember having any of those
10 conversations, is that fair to say?

11 A. No. I mean, I remember going to Tom and
12 saying, Is there a way to get interoperable data, has
13 there been discussions on this. I remember having
14 that discussion to see, because there wasn't a way for
15 us to have an interoperable system with all of the
16 manufacturers' data.

17 Q. And when you asked the marketing team to
18 provide detailed data on other NDC codes, as in
19 Exhibit 32, they provided it to you, right?

20 A. Well, they provided what we asked for, but
21 TRx data doesn't really help us. I mean, I can't --
22 like when you go to look at the number of TRxs at a
23 pharmacy, the pharmacy data doesn't tell me much. It
24 doesn't tell me what wholesaler it is going through.

1 It doesn't tell me -- it just tells me what the doctor
2 is writing, but I don't sell to a doctor.

3 Q. Would it give you the number of
4 prescriptions written in, say, an SMSA, like a
5 statistical metropolitan area, for those codes?

6 A. It -- it could break it down by state or
7 something like that.

8 Q. Yeah.

9 So -- but you didn't try to import that
10 type of information into the SOMS system, right?

11 A. I'm just still trying to figure out how
12 that would help us. We did go to look at other
13 systems, as you know, that would have more statistics
14 behind them --

15 Q. Uh-huh.

16 A. -- but at this time, the time that you are
17 talking about, our system was meeting the requirements
18 in 2012 and beyond the requirements in 2012.

19 Q. When you say that, what do you mean,
20 "meeting the requirements"?

21 A. The Controlled Substance Act requirements.

22 Q. And how did you come to understand that
23 you were meeting the Controlled Substances Act
24 requirements?

1 A. Well, because, you know, we, as I stated
2 before, working with Tom and working with our
3 compliance team, they are the ones that provided the
4 requirements to us and we based it on what the
5 requirements were at that given time.

6 Q. How did you come to an understanding of
7 what the requirements were?

8 A. I'm sorry?

9 Q. How did you come to an understanding of
10 what the requirements were?

11 A. So, the controlled substance compliance
12 team provides -- are the ones that work with the DEA
13 and they are the ones that review our system and
14 ensure that the system is providing what it needs to
15 be doing and that we are going at least -- or doing
16 what we are supposed to be doing using the system and
17 our processes to do thorough investigations.

18 Q. Okay. And I want to be clear just because
19 you used the word "they" in your response and there
20 were two antecedents before it. You said "they are
21 the ones" who do two things.

22 When you said that, did you mean --

23 A. "They" the controlled substance compliance
24 team.

1 Q. Not the D -- not the DEA?

2 A. Correct.

3 Q. Okay. All right.

4 So let's move on into this document to the
5 next page, 667, the SOMS Collaborative Review slide.

6 And can you look at this page and tell me whether you
7 remember putting this together.

8 A. We would have put the box on the left
9 together that supported the balance, the -- the flow
10 is out of SAP from our SAP team.

11 Q. And that says "Analysis of SOMS Forms"?

12 A. That is correct.

13 Q. All right. And this is -- we talked about
14 this a little bit yesterday. It says:

15 "During the analysis we use" -- I'm sorry.

16 It says:

17 "During the analysis, we attempt to use
18 all of the information we have on hand before reaching
19 out to the customer. We have multiple tools to
20 accomplish this. A few examples of the tools we use
21 are," and then there are A's and I think they are
22 bullet points. It says:

23 "Check call log to see if we previously
24 contacted the customer using the current month for the

1 product." And then a dash underneath there, it says:
2 "If so, reanalyze to determine another" -- "if another
3 investigation/customer contact is needed." And then
4 it says: "Review 852 and 867," and then in
5 parentheses, "(when available)." And then it says:
6 "Review past shipping history of product," and then it
7 says in parentheses: "(YOY/YTD comparison)." And
8 then it says: "Contact internal departments to see if
9 they have additional information. Demand Management,
10 Marketing and CRA." And then it says: "Look for
11 order pattern." And then the last one is: "Customer
12 contact."

13 And as you think of it, those are the
14 typical processes that the SOMS group would use to
15 analyze a pending order, is that right?

16 A. I would say those -- those are the typical
17 ones, correct.

18 Q. All right. And there may have been other
19 ones as we discussed yesterday, is that right?

20 A. That is correct.

21 Q. All right. Then going onto the next page,
22 668, it is a "SOMS Block Example."

23 Do you see what that is?

24 A. I do.

1 Q. What is that?

2 A. So if an order pends, that would be the
3 alert that they would get to -- to start the review
4 process.

5 Q. All right. When you say "they," what does
6 that mean?

7 A. The master data team that's responsible to
8 do the first review.

9 Q. All right. Then the next page is "852
10 Data Example." It is Page 669.

11 A. That's correct.

12 Q. And can you tell me what this shows?

13 A. Yes. It -- so an 852 data example is the
14 data that they would review. So it just comes in like
15 this. They are going to look for a particular
16 product, but it would show the name of the product,
17 the NDC number, the quantity the customer has on hand.
18 And there is -- at the top you'll see it says "Week
19 Ending," so it is just for that period of time, that
20 week, and then the following week.

21 So it will say how many is on hand, how
22 many -- their average they are selling out per week,
23 the number of days on hand they typically have, the
24 number of weeks on hand and the weekly sold or daily

1 sold here. So that's -- that's what that data
2 typically reflects.

3 Q. All right. And the days on hand is the
4 DOH number, is that right?

5 A. That is correct.

6 Q. And the weeks on hand is the WOH number?

7 A. That is correct.

8 Q. And with regard to this Page 669 and the
9 852 data, it is your understanding that the only 852
10 data that Watson would typically get would be data
11 about its own NDC code products, is that right?

12 A. Yes, that is correct.

13 Q. All right. And moving down to the 867
14 data example on Page 670, what does this show?

15 A. This shows the -- it appears to be the
16 start and the end date of this particular transaction.
17 The DEA number, the ship from DEA number, the ship to
18 DEA number, the ship from name, who shipped the
19 product, the ship to state, the ship from zip code --
20 or I'm sorry -- the ship to zip code.

21 I can't really see the in -- it looks like
22 the invoice date.

23 Q. Uh-huh.

24 A. The product ID, the quantity that would

1 have been shipped, and the price, the contract price.

2 Q. All right. So with regard to this chart,
3 do you remember why this chart was included in the
4 presentation that is shown here as Exhibit 35?

5 A. It is an example of 66 -- 867 data that we
6 would use if we had to check to see who is getting
7 particular product.

8 Q. Okay.

9 That term, it says "Prod" and then capital
10 "Id" there. It is the third-from-the-last --
11 third-from-the-right column.

12 Do you recognize those as NDC numbers or
13 something else?

14 A. I do recognize them as NDC numbers. A
15 product ID and a NDC may not be tip -- one in the
16 same, but this is an NDC number.

17 Q. All right. And so with regard to the NDC
18 or product ID number, as you think of it, would that
19 be an individual bottle that would have a particular
20 number of pills in it?

21 A. Yes, it would be a unit. It would be a --
22 a stock keeping unit. To the best of my knowledge,
23 that would be a stock keeping unit NDC number.

24 Q. All right. Let's move -- move on into

1 this document. The next one is the Page 671, "YOY/YTD
2 Comparison Example."

3 And is this also information that would
4 come from Watson's records?

5 A. Yes.

6 Q. All right. And then the next page is 672.
7 It says, "E-Mail Verbiage."

8 Can you tell me what this shows?

9 A. Yes. When we sent an order -- when we
10 notified a customer that we needed justification, we
11 sent them an e-mail with the CFR information and
12 requested them to reply with justification.

13 Q. All right. So is it fair to say this
14 would be the first step in analyzing an order that had
15 pending under Watson's suspicious order monitoring
16 policy by the master data administrator?

17 A. Not necessarily the first step. We would
18 probably do some of the other steps that we laid out
19 previously on this page. So it says:

20 "During the analysis, we attempt to use
21 all of the information with multiple tools on hand
22 before reaching out to the customer."

23 So we will try to conduct several of the
24 other tools before we reach out to them so we have

1 significant knowledge before we ask them for a
2 justification.

3 Q. All right. So the order may be cleared
4 before this type of e-mail ever goes out?

5 A. It could be, yes.

6 Q. Then the next page is 673 and it says:
7 "'Order of Interest' Evaluation/Investigation."

8 And you -- can you tell me what it shows
9 on this page?

10 A. It is a little bit about the evaluation
11 process, when it gets escalated to the DEA affairs
12 department and...

13 Q. And the data that's here or the
14 information that's here quotes a -- what's referred to
15 as "December 2007 DEA letter." It says:

16 "Registrants must conduct an independent
17 analysis of suspicious orders prior to completing a
18 sale to determine whether the controlled substances
19 are likely to be diverted from legitimate channels."

20 Do you see that there?

21 A. I do.

22 Q. So do you remember ever reading the letter
23 that's referred to here, December 2007 DEA letter?

24 A. I do.

1 Q. Do you -- do you remember when you first
2 saw it?

3 A. I -- I remember seeing it with Tom when he
4 met with us and I believe we also saw it in one of our
5 DEA annual trainings or meetings.

6 Q. Okay. Do you remember the -- what year
7 that was when you first saw it?

8 A. I can't recall the exact time on it.

9 Q. All right. And then the next bullet down
10 from there is "Order of Interest Evaluation Versus
11 Suspicious Order Investigation."

12 That -- what does that language mean?

13 A. As I mentioned yesterday, we -- we looked
14 at three phases. Once -- one, the pended order, so it
15 pended and we reviewed it. If -- when it pended and
16 reviewed, if we didn't have enough information or even
17 if we did get justification, if it wasn't something
18 that substantiated the review of -- the release of the
19 order, we considered it an order of interest, and all
20 orders of interest were escalated over to DEA
21 compliance. That's considered in -- in our
22 explanation an order of interest.

23 If DEA compliance received those and they
24 reviewed them and did not feel that there was

1 legitimate justification or information or legitimate
2 reporting or data to back it up, they considered it a
3 suspicious order.

4 Q. Okay. So, and on the next page, 674, it
5 says in quotations:

6 "'Order of Interest'" and then closed
7 quotations, "Investigation: Re" -- "Red Flags," and
8 there are various advertisements there.

9 What does that mean?

10 A. This would have been, as part of the due
11 diligence review, things that would have been
12 investigated, review of websites, so when we
13 investigated 867 data, we would have potentially seen
14 that there was multiple wholesalers selling to
15 somebody that we then thought looked like a red flag.
16 It would have been a product of ours that we saw being
17 sold by -- to a pharmacy by multiple wholesalers, we
18 would have looked that pharmacy up.

19 In this case I believe it was Palm Beach
20 Pain and Rejuvenation, we would have looked them up
21 and we would have said, Oh, good -- goodness, look at
22 these ads. This is a red flag. So where it says
23 "Investigation: Red flags" and this is the ads that
24 would have been identified.

1 Q. All right. And moving on into the next
2 page, it states:

3 "'Orders of Interest'" -- "'Order of
4 Interest' Disposition."

5 And can you tell me what this language
6 means?

7 A. Let me just read through this a second.

8 Q. Sure, yeah, yeah.

9 A. So that's just an explanation of the
10 process of the investigation and the steps after the
11 investigation.

12 Q. All right. So then the last one there
13 says:

14 "All suspicious orders are reported to the
15 DEA Chicago field office." And below that it says:
16 "To date, Watson has reported a few suspicious orders
17 to the Chicago field office."

18 And when you wrote that: "To date Watson
19 has reput" -- "reported a few suspicious orders" --
20 "a few suspicious order to the Chicago field office,"
21 what did that mean?

22 A. Well, I -- I can't guarantee that I'm the
23 person that wrote that.

24 Q. Okay.

1 A. My understanding of that was at that point
2 in time we did have some suspicious orders and they
3 were reported to the Chicago field office.

4 Q. So does that mean in that year 2012 or
5 over a number of years or something else?

6 A. I can't recall if this was only speaking
7 about what was going on that year, so I don't want to
8 just make a general statement.

9 Q. Okay. And then on the notes on the next
10 page, 676, it states:

11 "Please do not promise your customer
12 controlled product with the impression that marketing
13 is the only approval process. Typically the large
14 wholesalers are not an issue. However, smaller
15 wholesaler and distributors, and some chains, and
16 mail-order will be held and required to provide
17 documentation. All responses are auditable."

18 Do you see that there?

19 A. I do.

20 Q. Do you remember that note being part of a
21 presentation that you gave in 2012?

22 A. I don't remember the note being part of
23 the presentation.

24 Q. Okay. And do you remember ever saying to

1 someone, "Please do not promise your customer
2 controlled product with the impression that marketing
3 is the only approval process"?

4 A. I remember that we strongly stressed that
5 marketing is not part of the approval process and not
6 to -- and that they are not allowed to approve any
7 controlled substance order.

8 Q. Does that sentence there: "Please do not
9 promise your customer controlled product with the
10 impression that marketing is the only approval
11 process," help you understand to whom this Exhibit 35
12 presentation was made?

13 A. This may have been just to our internal
14 customer service team. I don't know.

15 Q. Okay. Could it have been to the marketing
16 group?

17 MS. LEVY: Objection to form.

18 BY THE WITNESS:

19 A. I don't know.

20 MS. LEVY: You can answer.

21 BY THE WITNESS:

22 A. I don't know.

23 BY MR. EGLER:

24 Q. And then the 676 page continues:

1 "Typically the large wholesalers are not
2 an issue, however, smaller wholesaler and
3 distributors, and some chains, and mail-order will be
4 held and required to provide documentation."

5 So do you remember writing that language?

6 A. I don't.

7 Q. Do you remember ever having the impression
8 that typically large wholesalers are not an issue with
9 regard to the SOMS system at Watson around this time?

10 A. I don't think that that's the context of
11 what that comment made, because they were in
12 partnership calls with us constantly. So I can't
13 speak to exactly what the comment was referencing.

14 Q. All right. And then the next statement
15 is: "All responses are auditable."

16 Do you see that there?

17 A. I do.

18 Q. What does that mean in the context of this
19 document?

20 A. I don't know what it means in the context
21 of this document. I know what "all responses are
22 auditable" mean.

23 Q. What does that mean to you?

24 A. That when we receive justif --

1 justification from customers and we were forwarding
2 them over to DEA affairs, that we wanted to ensure
3 that customer responses on their justification are
4 auditable as part of our suspicious order monitoring.

5 Q. So the word you used, "auditable," what
6 does that mean in the context of what you are saying?

7 A. Well, everything that we, obviously, did
8 on suspicious order monitoring and -- or any
9 transaction is -- is auditable, right. I mean,
10 it's -- every transaction is auditable.

11 Q. And who would be doing the auditing that
12 you are thinking of when you say "all responses are
13 auditable"?

14 A. Well, we had -- as you know, we talked
15 about it yesterday. We had an internal audit team, we
16 had a -- we had financial auditing teams, we had
17 compliance auditing teams.

18 Q. Okay. So is this like a statement that
19 whatever is said to justify the clearing of a
20 suspicious order may be subject to an audit?

21 A. Subject to any type of audit.

22 Q. Okay.

23 A. I wanted to make sure it was accurate.

24 Q. All right. And then the next page, 7 --

1 or 677 and 678 -- well, 677, can you tell me what this
2 page is discussing?

3 A. This discusses the partnerships -- calls
4 that we discussed earlier.

5 Q. All right. And then the next page is
6 another series of notes. And then moving on into
7 the -- the following page is "Progressive Results."

8 Do you see that there, Page 679? It
9 states, "Progressive Results." And it says:

10 "Results of partnership conference call.
11 Customers are able to grow their business, but we need
12 documentation/visibility to be justifiable. Customers
13 willing to provide 852 and 867 data, data
14 comprehensive" -- I'm sorry -- "data comprehension,
15 order justification, customers willing to implement
16 more stringent and rigorous requirements for SOMS
17 evaluation process, partnering with our DEA affairs
18 department, thorough customer questionnaires, thorough
19 vetting process/site visits, periodic site visits, and
20 mix of products on contracts and orders."

21 Do you see that there?

22 A. I do.

23 Q. What does that -- those various sentence,
24 what do those mean all together?

1 A. And so you'll remember we had a
2 conversation yesterday that we did not sell only
3 controlled substances to people.

4 Q. Uh-huh.

5 A. The mix of this means that in order to --
6 do you -- do you have one particular one you want me
7 to start with?

8 Q. No. I was thinking just in general as
9 it's referred to as "progressive results"?

10 A. Progressive results means that as --
11 progressive results means that the partnership calls
12 that we were having with people on controlled
13 substance, on controlled substances in general allowed
14 us to learn more about the customers, their policies,
15 their systems, how things were controlled, how they
16 controlled their controlled substances, their vetting
17 processes, allowed us to get more data from them if
18 they were going to purchase controlled substances with
19 us. So we felt that we got progressive results by
20 having these partnership meetings.

21 Q. All right. And then can you move onto the
22 next page, it's a Page 681. It states: "Watson 'New'
23 Accounts."

24 And can you tell me what that shows?

1 A. So this talks about a new account process.

2 Q. And what do the -- what is the form that
3 is there and the text that appears to the right of the
4 form mean?

5 A. Well, it appears that this is part of the
6 new account process.

7 Q. Okay. Do you remember presenting about
8 the new account system at Watson in 2012?

9 A. I could have. I don't remember, but I
10 could have.

11 Q. Okay. Do you know why the new account
12 system would have been part of your presentation?

13 A. I mean, it -- it could have been a lot of
14 presentations that we would have done this on because
15 this is part of our responsibility.

16 Q. All right. So then the next two pages,
17 682 and 683 are about carisoprodol?

18 A. Correct.

19 Q. And is that -- is carisoprodol an opioid?

20 A. Carisoprodol is a C-IV.

21 Q. Carisoprodol, sorry. That's
22 c-a-r-i-s-o-p-r-d-o-l, and is it an opioid, though?

23 A. I do -- I don't know if it's a -- I do not
24 believe so.

1 Q. All right.

2 A. It wasn't even a control until
3 December 12th, 2011.

4 Q. All right. And then the next page is 684
5 after those two. It states, "CSOS."

6 Do you have an understanding of what CSOS
7 is?

8 A. Yes, I do.

9 Q. What is CSOS?

10 A. Controlled substance ordering system.

11 Q. Okay. What is a controlled substance
12 ordering system?

13 A. It is an electronic method to submit
14 orders for C-IIIs.

15 Q. Okay. And how did the CSOS at Watson
16 differ from prior ordering systems at Watson?

17 A. It's only for C-II controlled substances.
18 Prior to controlled substance ordering system being
19 able to electronic -- before customers were able --
20 before the existence of CSOS, before the existence of
21 customers being able to electronically submit a C-II
22 order, every order was manual. Customers write --
23 would write out manually a 222 form. Part of it would
24 get submitted to the DEA and then part of it would be

1 mailed to a company. This allowed them to
2 electronically submit a C-II order which would go
3 through the DEA and then come to our company.

4 Q. All right. And does this chart show that
5 in 2009, 5 percent of the Schedule II controlled
6 substances orders were submitted or received via CSOS
7 and by 2011 the number was 74 percent?

8 A. That -- yes, that appears to be what this
9 shows.

10 Q. All right. All right. That's all I have
11 for -- oh, the very last page of this document, and we
12 had talked about this before, the "CRA Alignment," do
13 you see that there?

14 A. Yes.

15 Q. And yesterday as we were talking, I think
16 you had said that as you think about it today there
17 are about ten customers for controlled substances at
18 Allergan, is that right?

19 A. Yeah. It's -- it's a -- I don't know that
20 that's the exact number, but it is a very small
21 amount.

22 Q. Right. And you had said previously there
23 were more customers for controlled substances at
24 Watson, and that difference between ten and the number

1 that is shown here, is that the difference you were
2 thinking of, on the very last page of the document?

3 A. This alignment does not represent that all
4 of these customers were controlled substance --

5 Q. Okay.

6 A. -- customers. At all.

7 Q. Oh, okay.

8 A. That's just the alignment of customers to
9 the na -- to the director of national accounts.

10 Q. Got it. All right. Thank you.

11 A. You're welcome.

12 MR. EGLER: So let's take a break for lunch.

13 THE VIDEOGRAPHER: The time is approximately
14 12:19 p.m. And we are going off the record.

15 (WHEREUPON, a recess was had
16 from 12:19 to 1:15 p.m.)

17 THE VIDEOGRAPHER: We are back on the record.
18 The time is approximately 1:15 p.m.

19 BY MR. EGLER:

20 Q. Ms. Woods, thanks for coming back.

21 I'm going to hand you what we'll mark as
22 Exhibit 36.

23 (WHEREUPON, a certain document was
24 marked Allergan - Woods Deposition

1 Exhibit No. 36, for identification,
2 as of 01/10/2019.)

3 BY MR. EGLER:

4 Q. And can you look generally through
5 Exhibit 36. And as you are looking through it, and
6 you don't have to read all of that text because I'll
7 ask you some questions about it, but I'll read on the
8 record it's Bates numbered Allergan_MDL_03776365
9 through 6387.

10 And we had been talking earlier today
11 about your use of the program known as Microsoft
12 One Note and that we had looked at a document that had
13 a similar format to this. And we -- think we
14 established that it came from a One Note file. And
15 I'll tell you that based on the information we've been
16 presented in this case, this document also came from
17 your files or you were the custodian of this document.

18 I'm not going to ask you about the entire
19 document, but based on that understanding from the
20 previous document and looking at it today, does this
21 appear to you to be similar to that prior document and
22 the -- what a Microsoft One Note file would look like
23 if it were printed out?

24 A. Yes, that appears to be a Microsoft

1 One Note document.

2 Q. All right.

3 So with regard to this particular
4 document, can you turn to page -- what's marked as
5 Native File Download Page 7, and it's a Bates
6 No. 6371. And then at the top of the page, there is a
7 notation that says "SOMS June 24th, NJ."

8 Do you see that there?

9 A. I do.

10 Q. Okay. Could you read from that page to
11 the next, I think three pages, that's where the next
12 seeming header comes in. Just look at it generally.
13 You don't have to read the whole thing, but tell me if
14 these appear to be your writing as far as you
15 understand?

16 A. I don't know if it is notes I typed or
17 notes I interfaced, but they are notes from the 24th.

18 Q. When you say -- I'm sorry.

19 When you say notes you interfaced, what
20 does that mean?

21 A. Such as receiving an e-mail and copying it
22 into my One Note or all meeting notes that I took and
23 put into my One Note.

24 Q. As you look at these notes, do you have a

1 feeling of who, other than you, they could have been
2 written by?

3 A. They could have been written by somebody
4 in attendance in a meeting and sent in an e-mail that
5 I would have copied into an e-mail, but I don't
6 know -- if -- without the header of the e-mail, I
7 wouldn't know. It looked -- they would be copied and
8 pasted.

9 Q. All right. So as you sit here today, one
10 way or another, you can't tell whether this is your
11 writing or somebody else's?

12 A. Yeah, that took meeting notes and sent
13 them.

14 Q. All right.

15 As you worked in a -- at Watson, was there
16 someone that you can recognize whose job it was to
17 take notes at meetings around this time, June to
18 September 2012?

19 A. Typically it would have -- it could have
20 been anybody that attended the meeting that set the
21 meeting up would have typically sent the meeting notes
22 out.

23 Q. As you think about around this time, 2012,
24 during the, excuse me, Watson acquisition of Actavis,

1 do you remember taking your own computer to meetings
2 with people from Actavis?

3 A. Yes, I would have.

4 Q. Okay. Do you remember whether you made it
5 a practice at meetings to type notes into a One Note
6 file?

7 A. Yes, I did.

8 Q. All right. Do you remember whether as a
9 practice you delegated that task to anyone else at any
10 time?

11 A. No. I -- I mean, if I attended the
12 meeting, I would have taken the notes. If I didn't
13 set the meeting up, somebody else could have taken the
14 notes and sent them to me.

15 Q. Okay. So, is it fair to say your practice
16 around this time, May 2012, was to take notes at
17 meetings?

18 A. It could have been my practice any time.

19 Q. All right. Was it your practice at this
20 time to take notes at meetings with people from
21 Actavis?

22 A. I'm not -- I'm not sure I understand what
23 you mean.

24 Q. So, the notes in question say:

1 "SOMS June 24th, New Jersey," and then
2 below there it says: "June 24th Rose B, Lisa S, Mary
3 W, Frank C, Tom N, Nancy, Sandy S, Laura P."

4 So in the context of this, do you know who
5 Rose B would be?

6 A. Yes.

7 Q. Who?

8 A. Rose Bentravato. She was a Watson
9 employee.

10 Q. Okay. And then Lisa S, do you know who
11 that is?

12 A. Lisa Scott was from compliance at Watson.

13 Q. All right.

14 A. And then myself and --

15 Q. And Frank C, do you know who Frank C could
16 be?

17 A. Oh, yes. Frank Chen would have been
18 our -- in our IT team.

19 Q. Okay.

20 A. And then Tom Napoli would have been
21 compliance. And the Nancy would have probably been
22 Nancy Baran, Sandra Simmons, and Laura Pinti, they
23 would have all been Watson people. And obviously I am
24 the Mary W.

1 Q. Was Nancy Baran a Watson person?

2 A. Nancy was an Actavis person.

3 Q. All right.

4 A. She is the only Actavis person I see on
5 here.

6 Q. Okay. So there is a statement there:

7 "Third-party distributor - UPS, UPS used a
8 'homegrown' SOMS system, local DEA office reviewed.
9 UPS has three resources for Actavis."

10 Do you remember having a conversation
11 along those lines in, say, June 24th at a meeting with
12 the people who are listed there?

13 A. Information -- that would have had to have
14 been provided by Actavis. I would not -- we wouldn't
15 have known that information.

16 Q. All right. So, and then moving down into
17 this document, it states: "Direct Sales."

18 Do you see that there?

19 A. I do.

20 Q. It says: "Implemented statistical model
21 that is 'defensible.'"

22 Do you remember having that discussion
23 that an Actavis model regarding direct sales was
24 defensible?

1 A. I would have not remembered any particular
2 conversation in it.

3 Q. Okay. And, again, do you remember any of
4 those other people who are listed there taking notes
5 at a meeting around mid-June and sending them to you?

6 A. I couldn't remember back to June of 2012
7 if they --

8 Q. Okay.

9 A. -- would not -- would have or would not
10 have.

11 Q. As you think about the work --
12 relationship with the people who are there, would any
13 of those people have the responsibility for taking
14 notes for you at a meeting like this?

15 A. I would imagine everybody would have taken
16 their own notes or Nancy would have provided us notes
17 based on the Actavis system.

18 Q. As you think about it, would any of the
19 people here make a habit of sending you their notes
20 from a meeting that you attended?

21 A. Yes, we would have commonly sent notes to
22 each other from meetings that we attended.

23 Q. So would you have received all of the
24 notes from, say, Tom Napoli?

1 A. I can't recall if he would have sent me
2 notes from this meeting back in 2012.

3 Q. Would he have sent you notes from other
4 meetings, all of his notes from other meetings?

5 MS. LEVY: Object to form.

6 BY THE WITNESS:

7 A. From all of his other meetings?

8 BY MR. EGLER:

9 Q. No, I'm sorry. I -- I -- I said that a
10 little -- in a cumbersome manner.

11 Do you remember a time when Tom Napoli
12 sent you all of the notes that he had from a
13 particular meeting that you attended?

14 A. He may have.

15 Q. Do you -- do you remember any particular
16 time when that occurred?

17 A. Not off the top of my head, but he -- he
18 may have.

19 Q. How about the other people that are listed
20 up there on June 24th, do you remember any particular
21 time when you and they attended a meeting and they
22 sent you all of the notes that they took at a meeting?

23 A. Yes.

24 Q. Okay. Let's go through.

1 Rose B, do you remember a time when she
2 sent you --

3 A. Yes.

4 Q. Okay. When would she have sent you her
5 notes?

6 A. Well, she was the head of order management
7 and she would have sent me notes from meetings,
8 forecast meetings or things with customers.

9 Q. Okay. Do you remember where -- whether
10 she sent you these notes?

11 A. I don't remember in particular.

12 Q. Okay. How about --

13 A. And just to be clear, I didn't say these
14 weren't my notes. I said I just couldn't remember if
15 they were my notes.

16 Q. Okay. How about Lisa S, do you remember
17 her sending you notes on anything?

18 A. Yes.

19 Q. Okay.

20 A. I do.

21 Q. And what would the circumstances of her be
22 to send you notes?

23 A. Well, Lisa was from the compliance team,
24 so you've already seen some notes that she sent me.

1 Q. All right.

2 And how about Frank C.?

3 A. Frank Chen was in IT and he would have
4 sent me notes on different projects and meetings that
5 we attended.

6 Q. Okay. Do you think he sent you these
7 notes here?

8 A. Well, this isn't a I -- necessarily an IT
9 thing, so I don't know if he would have or would not
10 have.

11 Q. All right. And how about Nancy Baran?

12 A. Yes, Nancy frequently sent meetings notes.

13 Q. Okay. Do you remember her sending you
14 these notes?

15 A. I can't recall who sent me these notes.
16 I've established that.

17 Q. Okay. If -- if anybody did, right?

18 A. If anybody did, that's correct.

19 Q. And then the next one is Sandy S. Would
20 Sandy S have sent you notes on a regular occasion?

21 A. She would have sent notes on occasion if
22 she was in a meeting and I needed the notes, correct.

23 Q. Okay. Do you remember whether she sent
24 you these notes?

1 A. I do not.

2 Q. Okay. And then Laura P?

3 A. Laura Pinti sent meetings notes if she
4 attended as well, but I cannot recall if she sent
5 meetings notes from this.

6 Q. So, and just so we're clear, you don't
7 remember one way or another whether she sent you these
8 notes that appear on Page 371 of this exhibit?

9 A. That -- that's correct, or part of them.

10 Q. All right. So going down into this
11 document, it states: "Know your customer."

12 Do you see that there?

13 A. I do.

14 Q. It says, "Actavis" -- two lines down it
15 says -- or one line down it says: "Customer profiles
16 pertain to 'survey' Cegedim provided."

17 Do you see there?

18 A. I do.

19 Q. Do you remember having a discussion about
20 customer profiles in a survey that was part of
21 Actavis's suspicious order monitoring system around
22 this time, 2012?

23 A. The notes that I read here are what we
24 would -- what I would have known.

1 Q. All right. And then the next line down,
2 it says:

3 "Actavis - approx 30 customers of controls
4 plus Optisource, Premier."

5 In the context of your work, do you
6 recognize the term "Optisource"?

7 A. I do.

8 Q. What is Optisource?

9 A. A buying group.

10 Q. And when you say "a bry" -- "a buying
11 group," what do you mean?

12 A. A buying group means that there's multiple
13 members and they belong to Optisource and Optisource
14 creates a contract to give them better buying power.

15 Q. All right. And how about the word
16 "Premier," what does that mean to you in the context
17 of your work?

18 A. They are a different buying group.

19 Q. And then it says the:

20 "Current system does not block orders,
21 however they have the data."

22 Do you see that there?

23 A. I do.

24 Q. Do you remember writing that?

1 A. I -- I don't.

2 Q. Okay. Do you remember having an
3 understanding that in the middle of 2012 the then
4 current system at Actavis did not block orders but had
5 the data?

6 A. I understand how the system works today,
7 but I don't know if at that time I would have
8 understood that comment.

9 Q. All right. And: "May need to pull back
10 orders in question."

11 Do you remember writing that down?

12 A. I don't.

13 Q. All right. And it says: "Actavis will
14 report to DEA those that are in question."

15 And then further down into this document,
16 it states:

17 "EDI and manual 13,299 order lines passed
18 through model 2017 manual, 11,282 EDI."

19 In the context of your work, do you have
20 an understanding of what that line means?

21 A. I mean, I know what EDI is. I'm a little
22 skeptical to make an assumption here.

23 Q. Okay.

24 A. So I would probably prefer not to do that.

1 Q. Okay. But with the understanding that you
2 don't absolutely know, as you piece those pieces of
3 the sentence together, what does it mean to you?

4 MS. LEVY: Objection; calls for speculation.

5 BY MR. EGLER:

6 Q. You can speculate. I've just asked you
7 to. I've called for you to speculate.

8 MS. LEVY: Okay.

9 BY THE WITNESS:

10 A. It --

11 MS. LEVY: If -- if you don't know, you can also
12 say that.

13 MR. EGLER: No, stop.

14 BY MR. EGLER:

15 Q. I've asked you for a speculation on this,
16 please.

17 A. I am speculating that it states that EDI
18 and manual orders created 13,299 order lines that
19 passed through the SOMS model in 2017, that the manual
20 lines were 11,282 of those lines and that the EDI were
21 746, but the why I am confused is because the word
22 "orders" appears after 746 when the other ones refer
23 to lines, so that's why I'm not clear.

24 Q. All right. So let's move down into this

1 piece of text here where it says "McKesson."

2 Do you see that there?

3 A. I do.

4 Q. It says:

5 "McKesson is very high" and then in -- it
6 has the dollar sign and then an S comma, "lower in
7 percentage. 95 percent of revenue on hold."

8 In the context of your work, do you have
9 an understanding of what those two sentences mean?

10 A. Again, this is going to be speculation
11 because --

12 Q. Uh-huh.

13 A. -- this is Actavis information and I'm not
14 familiar from 2012.

15 Q. Okay.

16 A. So I would prefer not to speculate.

17 Q. Okay. And I'm going to ask you to
18 speculate as you --

19 MS. LEVY: You do not have to guess or
20 speculate --

21 MR. EGLER: Actually --

22 MS. LEVY: -- as an answer if you don't know.

23 MR. EGLER: I'm going to --

24 MS. LEVY: That is your -- my instruction to

1 you.

2 MR. EGLER: I --

3 MS. LEVY: If you know, you can, but you do not
4 have to guess about answers that you don't know.

5 BY THE WITNESS:

6 A. I don't because it is not my information.

7 And this is not my system, so I don't know.

8 BY MR. EGLER:

9 Q. So if it said McKesson is very high in
10 dollars but lower in percentage, what would that mean
11 to you in the context of your work?

12 MS. LEVY: Same objection.

13 BY THE WITNESS:

14 A. I -- I don't know -- I don't understand
15 what the context of this comment is, so I -- I really
16 don't know.

17 BY MR. EGLER:

18 Q. Okay. Have you ever heard the term
19 "revenue on hold" in the context of your work at
20 Act- -- at Watson and Allergan?

21 A. Revenue on hold would be -- I -- I don't
22 know in the context of -- of this.

23 Q. Okay.

24 A. I mean, I don't -- I can't understand

1 these notes because they are very brief, so it is very
2 difficult for me to know.

3 Q. Separate from these notes, have you ever
4 heard of the term "revenue on hold"?

5 A. In what -- in what context?

6 Q. In the context of any of your work.

7 A. In the context of any of my work, revenue
8 on hold means that it is not processed.

9 Q. All right.

10 A. The order is not processed.

11 Q. So next two lines down states:

12 "Actavis system can release even though
13 under investigation."

14 Do you have an understanding of around the
15 middle of June 2012 you attended a meeting where there
16 is a discussion or a conclusion that the Actavis SOM
17 system could release orders even though they were
18 under investigation?

19 A. I'm not familiar enough with the Actavis
20 system. That's why I don't --

21 Q. Okay.

22 A. -- want to comment. I don't know their
23 system.

24 Q. And what I'm asking you is do you

1 remember, do you have an independent memory of being
2 at a meeting where that issue was discussed?

3 A. Probably not from 2012.

4 Q. Okay. Do you remember attending a later
5 or earlier meeting where that issue was discussed?

6 A. That really is -- no, they had a
7 different -- they had a parallel system running at the
8 time, which was the Cegedim system, so I am not -- I
9 am not familiar with this.

10 Q. And then the next sentence says: "If
11 order passes SOM, Actavis cancel line and order will
12 be" -- "not go to SOMS again."

13 Do you remember attending a meeting in
14 mid-2012 where that issue was discussed?

15 A. I -- I can't recall from that far back.

16 Q. Okay. All right. So can you turn to the
17 next page. And about halfway down this page, there is
18 a statement "Know your Customer" and it says "DEA has
19 ARCOS" and then "- visibility of all supplies to
20 indirect account."

21 And then the next line is: "Data is based
22 on chargeback data, Actavis will only provide contract
23 for some controls under chargeback terms."

24 Do you see that there?

1 A. I do.

2 Q. Do you remember that issue being discussed
3 at a mid-2012 meeting discussing Actavis's SOM
4 processes?

5 A. Not in particular.

6 Q. Okay. And then the next two statements
7 underneath there, it says, "Indirect."

8 Do you see that there?

9 A. I do.

10 Q. And there is an "Indirect" and it says:
11 "- ValueCentric 867 downstream data."

12 Do you see that there?

13 A. I do.

14 Q. And we had talked about that term
15 "ValueCentric" --

16 A. Uh-huh.

17 Q. -- before, right?

18 A. That is correct.

19 Q. Okay. And what does ValueCentric 867
20 downstream data mean?

21 A. So we've discussed this several times. So
22 ValueCentric 867 data, as I've explained before, is
23 when the wholesalers send in their downstream data,
24 meaning who they are selling to, that's their

1 downstream data, that's 867.

2 Q. And that 867 downstream data only includes
3 the data regarding the NDC codes of the -- the entity
4 that is buying the data, is that right?

5 A. That is correct.

6 Q. All right.

7 A. Exactly as we discussed before.

8 Q. So, and then the two lines down from
9 there, it states: "Multiple source purchasing."

10 Do you remember being in a meeting in
11 mid-2012 where people dis -- were discussing multiple
12 source purchasing in the context of ValueCentric 867
13 downstream data?

14 A. Not really.

15 Q. Okay. All right. Can you move three
16 pages ahead in this document to Page 6375 and look at
17 this page and tell me what it appears to you to be?

18 A. One Note, meeting from August 16th of
19 2012.

20 Q. Okay. And when you say a One Note
21 meeting, what does that mean?

22 A. Well, it is a One Note and the meeting
23 date is 8/16 of 2012.

24 Q. All right. And then it says:

1 "SOMS: - Actavis Meeting 8/16/2012."

2 Do you remember having a meeting to
3 discuss Actavis's SOM system around August 2012?

4 A. I do.

5 Q. All right. Now, as you look at these --
6 the language that appears down here, do you recognize
7 these as your notes?

8 A. I remember a meeting with Nancy, Umish,
9 Scott and myself.

10 Q. Do you remember whether you took notes at
11 the meeting?

12 A. I probably did.

13 Q. All right. Do you have any reason to
14 believe you didn't take notes at the meeting?

15 A. Nope.

16 Q. Okay. The first bullet point down there
17 says -- well, let's go through.

18 Who is Nancy in the context of these
19 notes?

20 A. Nancy Baran.

21 Q. And who's Uresh?

22 A. I'm sorry. His name is Umish, but I
23 didn't know --

24 Q. Okay.

1 A. -- him at the time, so I'm sure I
2 misspelled his name.

3 Q. Okay. And was he from Actavis?

4 A. He was.

5 Q. All right. And then who is Scott?

6 A. Scott Soltis, that was the head of our
7 security and DEA compliance team.

8 Q. All right. And the Mary is you, is that
9 right?

10 A. Myself.

11 Q. All right. And you write:

12 "Not nearly as compliant as we could be,
13 to the letter of the law prior. Threshold-based
14 report system."

15 What does that mean?

16 A. They had moved to a brand new system
17 called the Cegedim system that was running live and
18 they felt that they were much more compliant moving
19 into the Cegedim system based on the letter of the law
20 from 2007, which is why they moved to the Cegedim
21 system.

22 Q. All right.

23 A. And that system was running live at that
24 time.

1 Q. And then you write down -- or further down
2 that page, two bullet points down:

3 "Ran for a couple of months in production,
4 does not put orders on hold, just got her first
5 resource from the brand side."

6 Do you remember what you meant by writing
7 that?

8 A. I'm sure it was just abbreviation, so I
9 probably don't have -- I was taking notes about what
10 she was communicating.

11 Q. All right. So when you use that term
12 "resource" in the context of your work, is that like a
13 dedicated employee or something else?

14 A. It would have been a resource that they
15 had with inside of their organization.

16 Q. And a -- a resource in the context as you
17 use it here is a -- is a person as opposed to a
18 computer or something, is that right?

19 A. To the best of my recollection. I mean,
20 you are asking me to comment on notes from, you know,
21 six -- over six years ago.

22 Q. All right. And then two bullets down from
23 there you state: "Did not have resources to support."

24 And do you know what that means in the

1 context of this document?

2 A. Not off the top of my head. I would have
3 to know what the discussion was at the time.

4 Q. All right.

5 Do you remember having a -- making a
6 conclusion that the Actavis SOM system in August 2012
7 did not have adequate resources to support it?

8 A. I think the conclusion was I was happy
9 that they were up on Cegedim. I don't know if I had
10 any other conclusion.

11 Q. Okay. When you say that you were happy
12 that they were up on Cegedim, what do you mean?

13 A. I thought Cegedim was a good system and
14 I -- and they communicated that they were up on
15 Cegedim, and I didn't really know much about their
16 company at the time. It was August of 2012.

17 Q. All right. And then down two lines from
18 there, you state: "31 - 33 percent are pending,
19 waiting to retune."

20 What did you mean by that?

21 A. I can tell you it looks like 31 to
22 33 percent of the orders were pending and there is
23 a -- I can tell you what retuning means to Cegedim, I
24 can't tell you if it's -- so retuning to Cegedim is

1 they take all of your -- there is -- there is certain
2 scope of data they take.

3 Remember how we talked about the nine
4 algorithms or algorithms and they have to do retuning.
5 They retune using all of this data and algorithms. I
6 don't know the whole process, but I'm thinking that
7 that's what that's reference to.

8 Q. All right.

9 And then it states: "Sees the data but
10 does not act on the recommendation of what the system
11 tells them to do."

12 Do you see that there?

13 A. I do.

14 Q. What -- what did you mean by that?

15 A. I can't tell you based on 2012 notes
16 because I'm not familiar enough with what the
17 discussion was at that time.

18 Q. All right. And then two bullets down from
19 there, it states:

20 "They are running a parallel," and then --
21 that seems to be in bold, and then it states, "is not
22 managing the system, old system. DEA would see the
23 old logic if they did an investigation. Both systems
24 are in production environment."

1 Do you have a -- a feeling for what that
2 text means?

3 A. That they were running both systems in
4 parallel.

5 THE VIDEOGRAPHER: Pardon me, Counsel, the phone
6 call actually went out. Can we go off the record to
7 get that fixed?

8 MR. EGLER: Yeah, absolutely.

9 THE VIDEOGRAPHER: The time is approximately
10 1:44 p.m. We are going off the record.

11 (WHEREUPON, a recess was had
12 from 1:44 to 1:50 p.m.)

13 THE VIDEOGRAPHER: We are back on the record.
14 The time is approximately 1:50 p.m.

15 BY MR. EGLER:

16 Q. All right. Ms. Woods --

17 A. We're back.

18 Q. -- let's pick up where we left off. We're
19 on Exhibit --

20 MS. LEVY: Thank you for coming back.

21 BY MR. EGLER:

22 Q. We are on Exhibit 36 and it's a -- we are
23 on what's marked as "Native File Download Page 11" and
24 it's Bates No. 6375 and we were talking about the

1 bullet point that you wrote:

2 "These are running at parallel" and
3 then -- that's in bold, but then the rest of it is,
4 it -- "is not managing the system, old system. DEA
5 would see the old logic if they did an investigation.
6 Both systems are in production environment."

7 So I think you had talked about what you
8 meant by they are running in parallel. When you wrote
9 "DEA would see the old logic if they did an
10 investigation," what does that mean?

11 A. Yeah, I real -- I think we should probably
12 ask the Actavis Inc. people because this data came
13 from them.

14 Q. Okay.

15 A. So it would probably be best to ask
16 somebody from that side.

17 Q. All right. And then the last one there
18 is: "Both systems are in production environment."

19 A. Uh-huh.

20 Q. And the -- the term "production
21 environment" as you see that, does that have a meaning
22 in your work?

23 A. In my work, production environment means
24 that they are functioning in -- in a production

1 environment, not in a sand box environment, meaning
2 the real-time environment.

3 Q. Okay. So going down on this page, there
4 is a thing that says "Action Items."

5 Do you see that there, "Nancy and Uresh"?

6 A. Correct.

7 Q. And you had said before that the Uresh is
8 actually Umish --

9 A. That's correct.

10 Q. -- a person at Actavis?

11 And it says:

12 "What is your implementation strategy for
13 SOMS??? - Set up a separate meeting to:" And then you
14 have various things written down there.

15 Do you remember having that discussion
16 with Nancy Baran and Umish around August 16th, 2012?

17 A. I don't recall if there was follow-up
18 meetings after that. If there is notes there, it must
19 have been something discussed in the meeting, that's
20 the best I could recall, if there is something there.

21 Q. All right. And so then down below there,
22 it says, "Day 100."

23 And do you remember there being a day with
24 regard to the Watson/Actavis merger that was referred

1 to as Day 100?

2 A. I -- I have to be honest, I don't remember
3 what Day 100 was --

4 Q. Okay.

5 A. -- reference to.

6 Q. And you've -- you've been with Watson as
7 they've merged with various companies, is that right?

8 A. That is correct.

9 Q. As -- as you think of it, is there
10 typically, like, a countdown clock or some other thing
11 that the companies try to set up to count down to the
12 merger?

13 A. There is a countdown clock, correct.

14 Q. Would that have -- in the context of your
15 general work, would there have been in some of the
16 mergers a Day 100 before the merger is supposed to be
17 final?

18 A. There -- there could be, but if they get
19 pushed out, then Day 100 doesn't mean the Day 100.

20 Q. All right. But would they -- in the
21 context of a plan date, would you be given various
22 tasks that were to be done by Day 100 before the
23 merger and things like that?

24 A. Yes, there could be tasks --

1 Q. Okay.

2 A. -- that could be. I don't see anything
3 next to the Day 100, but there could be tasks,
4 correct.

5 Q. All right. So going down from there,
6 there is another line that says, meeting August 21st,
7 2012.

8 Do you remember having a meeting on
9 August 21st, 2012, with the people who are listed
10 below there and onto the next page?

11 A. I -- there's notes there, but, I mean, I
12 can't remember meetings from 2012, I have to be honest
13 with you.

14 Q. Okay. So as you look at the notes that
15 appear on the next page, are these your notes?

16 A. I'm -- I would be pretty positive they
17 would be my notes.

18 Q. All right. So, with regard to this
19 meeting from August 21st, 2012, do you remember on
20 the -- on the top of the next page underneath your
21 name and two other people's names, it says "Meeting
22 Goals"?

23 A. I see that.

24 Q. And it states:

1 "Day 1 - compliance discussion; Day 1 -
2 critical deliverables; Day 1 - determine what the risk
3 is at Day 1;" and then "Day 1" -- "Day 100 - system
4 deliverables," right?

5 A. I see that.

6 Q. And then below there you write:

7 "Definite risk right now today, current
8 system is not acceptable to Watson."

9 Do you remember having that impression in
10 August 2012 that the Actavis SOM system was not
11 acceptable to Watson?

12 A. I don't know if I could say what I thought
13 today in 2012.

14 Q. Okay. So if you would have written that
15 down in 2012, do you think it would have any meaning
16 other than that the current system was not acceptable
17 to Watson?

18 A. What I'm reading, I mean, I'm looking at
19 what I wrote right then, so I must have had some
20 thoughts about it at the time I wrote it.

21 Q. Okay. And you wrote: "Definite risk
22 right now today," is that right?

23 A. I did write that.

24 Q. And you had substantial experience with

1 regard to suspicious order monitoring systems in your
2 career even up to 2012, is that right?

3 A. I did.

4 Q. And so when you wrote down: "Definite
5 risk right now today," you thought that there was a
6 definite risk right now today as to Actavis's system
7 at that point, is that right?

8 A. Comparing it to what I felt was the Watson
9 system.

10 Q. Okay. And you wrote down: "Current
11 system is not acceptable to Watson," right?

12 And that meant that the current Actavis
13 SOM system was not acceptable to Watson, is that
14 right?

15 A. Or process.

16 Q. All right.

17 So, and then below there you write:
18 "Current As-is Process." And under (a) it says:
19 "There is no current SOP on the current process."

20 Do you see that there?

21 A. I do.

22 Q. Do you remember writing that down?

23 A. I don't remember writing it.

24 Q. Do you remember being surprised that there

1 was no current SOP on the current process for the
2 Actavis SOM system around August 2012?

3 A. I don't know if I was surprised. A lot of
4 companies don't have procedures and policies on
5 things.

6 Q. Can you name another company that doesn't
7 have an SOP on its suspicious order monitoring system?

8 A. I -- I don't go and investigate other
9 companies, but I don't think it's extremely uncommon
10 that companies, you know.

11 Q. Do you think it would be a good practice
12 for a company not to have written standard operating
13 procedures on their suspicious order monitoring
14 processes?

15 A. I'm a very organized person, so I think
16 everything should have a policy and a procedure.

17 Q. All right. Would you recommend that a
18 company have a written SOP set for its suspicious
19 order monitoring systems?

20 A. Personally, I think so.

21 Q. All right.

22 So, then you write down: "Threshold
23 base."

24 In the context of your notes here, do you

1 remember what that means?

2 A. I know what a threshold base system is.

3 Q. What is a threshold base system?

4 A. A threshold base system -- in my mind, a
5 threshold base system is based on benchmarks, that's
6 how I review it -- review it.

7 Q. All right. And how would a threshold base
8 system differ from the system that Watson had in place
9 around this time, August 2012, if at all?

10 A. The Watson system had other algorithms in
11 it that allowed us to manage -- you know, we had class
12 trades, we me -- measured it up more than against
13 anything that was just a benchmark, so we felt that
14 that was -- removed a lot more risk.

15 Q. So the threshold base that you are talking
16 about is the statistic or algorithm that would cause
17 an order to pend, is that correct?

18 A. The logic, correct.

19 Q. All right. So the next one down: "(c)
20 does not hold orders," do you remember what you meant
21 by that?

22 A. Of course I did not at the time because I
23 wasn't aware of their system.

24 Q. Okay.

1 A. I wasn't an Actavis Inc. person.

2 Q. Right.

3 Do you remember hearing that the Actavis
4 system did not hold orders when you met with them in
5 August 2012?

6 A. I -- I don't know if I did or not. I
7 don't recall because I --

8 Q. And that term "hold orders," we had talked
9 about it yesterday with regard to Watson, that the
10 Watson system not only created a report when an order
11 pending, but it held any order from being shipped, is
12 that right?

13 A. That is correct.

14 Q. And do you remember whether the Actavis
15 system did not do that?

16 A. Well, I can tell you I did learn that the
17 Actavis system held all orders whether they were SOMS
18 or not. If you remember, we discussed that yesterday.
19 Their process was different. They had to go in and
20 manually put a hold on the order, but it did hold the
21 orders whether they were Rx products or whether they
22 were controlled or not controlled orders. So it was
23 just different. They had to go and then continue to
24 block an order that they considered an order of

1 interest. So it was just different.

2 Q. And it wasn't automatic, is that right?

3 A. They had to manually go and put the blocks
4 on, to my understanding, but you -- again, you would
5 need to ask an Actavis Inc. person because they would
6 have much more knowledge than I would.

7 Q. And this -- the Watson system that you
8 were familiar with was automatic, is that right?

9 A. Yes.

10 Q. Okay. And then the next one, "(d)," it
11 says: "Creates a report."

12 Do you know what you meant by that?

13 A. Just as we discussed yesterday, their
14 orders created it -- their system created a report on
15 every order that exceeded.

16 Q. All right.

17 A. Just as we discussed yesterday.

18 Q. And then the next one says:

19 "They do not investigate all, only some,
20 since there is no SOP, they don't investigate."

21 A. They wouldn't investigate products that
22 weren't controlled substances. So, remember,
23 yesterday I explained that the reports that printed
24 were for controls and non-controls. They wouldn't

1 con -- they wouldn't investigate products that were
2 not controlled substances.

3 Q. All right.

4 And then the next one down there, it says:
5 "Report runs every time an order load is run for EDI,
6 not for manual."

7 What did you mean by that?

8 A. I'm not as familiar with how -- with that
9 report, if there was a separate report for manual or
10 EDI. I think we'd have to clarify that with them.

11 Q. All right.

12 And then the next one says: "Looks at six
13 months of orders and compares the current orders with
14 the past six months."

15 And what did you mean by that?

16 A. So we discussed this yesterday as well.
17 It looks at what the six-month order average was and
18 then compares it to the number of lines in that
19 six-month period, and that's how it came up with the
20 order and line average. So that was part of our
21 discussion yesterday.

22 Q. Okay. Is that the threshold base that you
23 are referring to above there?

24 A. Yes.

1 Q. All right. So --

2 A. It is somewhat of an algorithm and
3 somewhat of a baseline.

4 Q. All right.

5 So going down from there, it says:

6 "Meeting notes October" -- or "10/5/2012."

7 Do you remember having a meeting in
8 October 2012 regarding the Actavis SOM system?

9 A. I don't remember any specific meetings,
10 but obviously that's why there is notes in here.

11 Q. All right. And it states there:
12 "Finalized 4" and then in parentheses "(5 including
13 Nancy) resources that will be on through January" --
14 or "through Jan until Watson cutover."

15 Do you see that there?

16 A. I do.

17 Q. Do you remember that there was a cutover
18 of the Watson SOM system to replace the Actavis SOM
19 system set for January 2013?

20 A. I don't remember the exact date of the
21 cutover, but in every acquisition we did, there was
22 always cutovers for every single component.

23 Q. All right.

24 And then going down into here, rather than

1 eving -- reading every one, there is one that says:

2 "SOP does not [sic] show the escalation process."

3 In the context of your work, what did you
4 mean by that?

5 A. I couldn't be positive right now about
6 what that meant.

7 Q. Okay. When -- you -- have you heard the
8 term "escalation process" in your work at Watson and
9 Actavis and Allergan?

10 A. Yes, because we have escalation process in
11 our SOP, so I'm familiar.

12 Q. Okay. So what does that mean to you,
13 Wat -- or escalation process?

14 A. It means when you have -- you know, there
15 is an escalation process for everything. When it --
16 when you have steps in a process, you go from one
17 step. When you need approval, you have one -- you
18 have a first approval process, when you need a next
19 approval process, that's an escalation step.

20 Q. And I think you had just said that the --
21 as you understand it, the Watson suspicious order
22 monitoring SOP did contain the escalation process, is
23 that right?

24 A. That is correct.

1 Q. Would you expect any suspicious order
2 monitoring system's SOPs to include an escalation
3 process?

4 A. Well, I can't -- I can't speak to other
5 people's SOP or SOM system, so I'm not -- I'm not the
6 authority to determine whether they would or wouldn't.

7 Q. If you were writing the SOPs for a
8 suspicious order monitoring process, would you ensure
9 that the escalation process was a written SOP?

10 A. I would personally, because I -- like I
11 said before, I'm a very kind of methodical, organized
12 person, so I would put it in there because I would not
13 want to count on my memory to remember every step, so
14 personally, yes, I would.

15 Q. And you have been in this industry for
16 more than 20 years, is that right?

17 A. That is correct.

18 Q. So, and then the bottom one, the bottom
19 note you write there: "DEA meetings told them to
20 focus on customers/customer."

21 Do you see that there?

22 A. I do.

23 Q. And then below that, it says: "DEA oxy
24 30, 15, hydro."

1 What did you mean by that?

2 A. That would have come from them. They
3 would have told me that, so --

4 Q. What --

5 A. -- that's where that note would have come
6 from. I don't know at the time. I mean, that --
7 that's something that they would have communicated to
8 us.

9 Q. Okay. And in the context of your work and
10 your note taking, what does that bullet point and the
11 sub bullet point mean when spoken out as sentences?

12 A. Well, that just means exactly what it
13 says. They had a meeting with the DEA, the DEA told
14 them to focus on customer/customer, and obviously
15 there was something that communicated to them
16 regarding their oxy 30, 15, and hydro, something along
17 those lines, but I don't know the exact content of,
18 you know, what happened at their meeting with the DEA.
19 I can't -- I can't pretend that I know that.

20 Q. All right. And Actavis didn't sell brand
21 name OxyContin, is that right, they sold generic
22 OxyContin?

23 A. I -- I don't know the exact line of the
24 Actavis products to -- to tell you one way or another,

1 so I don't want to --

2 Q. All right.

3 A. -- give you incorrect information.

4 Q. So going down to the next entry there, it
5 says: "Meeting Notes 10/25/2012 Actavis/Watson."

6 Do you see that there?

7 A. I do.

8 Q. And then beyond that there is screen shots
9 or something. As you look down into the following
10 pages, I think it's -- it's eight pages to --

11 A. Uh-huh.

12 Q. -- Page 382.

13 Do you have an understanding of what those
14 are that appear on the following pages?

15 A. This would have been a presentation
16 provided to us by Actavis Inc.

17 Q. Okay. And then there is writing in and
18 between the various screen shots or whatever they are.

19 Do you remember who wrote that text there?

20 A. I don't know if that was me or -- this
21 might have been notes that I documented as Nancy Baran
22 was going through the presentation with us.

23 Q. All right. All right. And then going to
24 the next page after those notes, the 383, at the

1 beginning of the page, top of the page it states:

2 "Retention."

3 Do you see that there?

4 A. I do.

5 Q. Okay. And the second entry there states:

6 "Milestone 1," and then parentheses

7 "(Nancy). Execute current job responsibilities

8 including the management and support of your current

9 internal Watson customers meeting exceptional level of
10 service standards. Ongoing through release date."

11 Do you have an understanding of what that
12 text means?

13 A. I do not.

14 Q. Okay. And then -- all right. That's all
15 I have for this document. You can set it aside.

16 My documents have gotten all out of order.

17 All right. Let's mark this as Exhibit 37.

18 (WHEREUPON, a certain document was
19 marked Allergan - Woods Deposition
20 Exhibit No. 37, for identification,
21 as of 01/10/2019.)

22 BY MR. EGLER:

23 Q. And if you look generally at Exhibit 37,
24 and while you're looking at it, I'll read into the

1 record, it is Allergan_MDL_03755062 through 078. And
2 when you are ready, okay, let me know and I'll ask you
3 some questions.

4 A. Sure.

5 Q. All right.

6 So, this document, Exhibit 37, again,
7 generally, was produced to us from your custodial
8 file. And will you agree with me that it appears,
9 again, to be a printout of a Microsoft One Note file?

10 A. Yes, it does appear to be --

11 Q. All right.

12 A. -- from a One Note file.

13 Q. And then this is a five -- excuse me --
14 this is a family of documents, and for the first time
15 I think we have included the attachment from -- that
16 appeared in the family.

17 If you look at the second page of this
18 document, 063, it states that there is an -- or it
19 notes that there is an attachment to an e-mail or
20 whatever that is.

21 Do you see that there?

22 A. I do. I do see that.

23 Q. All right. And the -- the document, that
24 second page states: "Buzzeo PDMA Project Kickoff

1 Meeting - Phase 1 Proof of Concept."

2 Do you remember hearing about or attending
3 a Buzzeo PDMA project kickoff meeting around May,
4 middle of May 2015?

5 A. Yes, I kind of remember this.

6 Q. Do you remember what Watson -- well, I
7 take that back, at this point it's Actavis and
8 Allergan -- what Actavis and Allergan had engaged the
9 Buzzeo PDMA to do in the mid-2015?

10 A. Can I take a minute to look at the
11 document?

12 Q. Yes, absolutely.

13 A. Okay. Thanks.

14 Q. And I'll -- I'll tell you that what I'm
15 going to ask you about is on Page 5074 --

16 A. Okay.

17 Q. -- and that's because your name appears
18 there, but also generally about the meeting.

19 A. They changed their name so often and I
20 only worked with them on one thing, so...

21 Q. Okay.

22 A. Okay. I -- I think I'm ready. I just
23 wanted to make sure I understood what this was about.

24 Q. Okay. What is this about?

1 A. Are you on the page ending in --

2 Q. You know, I'd -- I'd like to take the
3 entire --

4 A. The whole concept?

5 Q. Hold on.

6 I'd like to take the document starting at
7 Page 066 and --

8 A. Okay.

9 Q. -- going to the end, and if you recognize
10 that or have a feeling as to what it is, let me know
11 what it is and tell me about the context that you
12 understand it to be in.

13 A. This was a meeting with Buzzeo which you
14 know as Cegedim. This was -- if you remember
15 yesterday, I had explained to you that in around the
16 2012 period the algorithm was a logic that had to be
17 programmed into your ERP system.

18 Remember we had that discussion yesterday?

19 Q. Yes.

20 A. At this period of time in 2015, they had
21 actually turned it into an application that you could
22 purchase.

23 Q. Okay.

24 A. Okay? This meeting was to meet with them

1 to see the application.

2 Q. Okay. So this is, is it fair to say,
3 prior to any engagement or other signed contract with
4 Buzzeo, is that right?

5 A. I don't know the sequence of time, but I'm
6 going to make the assumption that that would be it.

7 Q. Okay. But you don't have a strong feeling
8 or a conclusion either way about whether Buzzeo was
9 engaged on the processes listed here or not?

10 A. I -- I don't, but we wouldn't have engaged
11 with them until we met with them, so. I don't know
12 the time -- timing and sequence.

13 Q. All right. All right.

14 So on Page 074 of this document, it says:

15 "Core Project Team - Actavis."

16 Do you see that there?

17 A. I do.

18 Q. And it lists various people including
19 you --

20 A. Uh-huh.

21 Q. -- and you are listed as a process owner?

22 A. That's correct.

23 Q. Around this time, May 2015, do you know
24 what that designation would have indicated, process

1 owner?

2 A. Yes.

3 Q. What does it mean?

4 A. A process owner is somebody who has input
5 because of what you or your team does in the company,
6 and you have input as to what is required into the
7 system or process.

8 Q. All right.

9 And do you remember whether the Buzzeo
10 entity was ever subsequently engaged to create or to
11 construct this system for Actavis or Allergan or
12 whatever entity you worked for?

13 A. To the best of my knowledge, we did sign a
14 contract with them, but Tom Napoli would be the person
15 to confirm that. I wouldn't be the person signing the
16 contract.

17 Q. All right. All right.

18 MR. EGLER: Let's -- let's take a quick break.
19 All right.

20 THE VIDEOGRAPHER: The time is approximately
21 2:15 p.m. and we are going off the record.

22 (WHEREUPON, a recess was had
23 from 2:15 to 2:33 p.m.)

24 THE VIDEOGRAPHER: We are back on the record.

1 The time is approximately 2:33 p.m.

2 MR. EGLER: Ms. Woods, I appreciate you coming
3 in yesterday and today. I don't have any further
4 questions.

5 MS. LEVY: I have -- I have just one question.

6 EXAMINATION

7 BY MS. LEVY:

8 Q. Ms. Woods, when we are talking about
9 Actavis pre 2012 suspicious order monitoring system,
10 who are the folks who would be in the best position to
11 understand the intricacies of how that system worked?

12 A. For Actavis Inc., correct?

13 Q. Correct.

14 A. So that would really be Nancy Baran and
15 Rachelle Galant.

16 Q. Would those two individuals know more than
17 you know about that system?

18 A. Oh, significantly. I mean, they were
19 hired -- they were at the company at the time.

20 MS. LEVY: Okay. I don't have anything further.

21 MR. EGLER: Okay. I'm going to have a question.

22 FURTHER EXAMINATION

23 BY MR. EGLER:

24 Q. Ms. Woods, when earlier today we were

1 talking about various meetings in May and August
2 of 2012, with people from Actavis, do you remember
3 that -- those discussions?

4 A. The meetings that were in 2012 was
5 pre aq -- when we were going through the
6 acquisition --

7 Q. Uh-huh.

8 A. -- and we just had some preliminary
9 meetings before we completed the acquisition.

10 Q. Right.

11 A. So we had some preliminary meetings. So
12 those were notes or meetings -- those were notes taken
13 from meetings we had with them. So those notes would
14 have been information provided and information from
15 them. So clarification would have to come from them
16 because we would not have been familiar with their
17 systems.

18 Q. Do you think the people from Actavis who
19 were at the meetings in 2012 that we were talking
20 about earlier today lied to you?

21 A. My point is I'm not sure we would have
22 understood the notes enough to correctly have taken
23 notes from them in the context in which they would
24 have communicated the system because we weren't

1 familiar the system.

2 Q. Okay. Do you think they lied to you
3 during the meetings?

4 A. I wouldn't think they'd lie to us in the
5 meetings. The way we might have interpreted the notes
6 might not have been how their system operated because
7 we weren't familiar with their system.

8 Q. Do you think you would have asked
9 questions if you needed more information during the
10 meetings?

11 A. It depended on what the meeting was. If
12 it was, like, a fact finding meeting, an initial
13 meeting, we may have taken notes, gone back and talked
14 about them and had a subsequent meeting, but we may
15 not have had, like, an initial meeting because we
16 didn't own them at the time.

17 Q. During the meetings if you asked a
18 question, do you remember anyone from Actavis not
19 volunteering the information that you asked for?

20 A. After -- after the close --

21 Q. No.

22 A. -- of acquis- -- so I just want to make
23 sure I'm clear.

24 Q. Uh-huh.

1 A. We were only able to receive certain
2 information on any company we acquired --

3 Q. Uh-huh.

4 A. -- prior to the close of the company. I'm
5 sure you're aware of that, right?

6 Q. Yes.

7 A. So we might not have been able to get
8 everything we needed prior to the close.

9 Q. So at the meetings that we were talking
10 about earlier today, was there a point that you
11 remembered today where you asked for some information
12 from someone from Actavis and they didn't give it to
13 you?

14 A. I can't recall from 2012 to now.

15 Q. Do you think that would stick out in your
16 memory?

17 A. I -- what I can't recall is if I asked for
18 anything or if our compliance team asked for anything.

19 Q. If you had asked for something and they
20 refused to give it to you, do you think that would
21 have stuck out in your memory?

22 A. If -- if we were allowed to ask for
23 something and they did not provide something --

24 Q. Yes.

1 A. -- we would have remembered. I just don't
2 know if we did ask for anything and if we could have
3 asked for anything.

4 MR. EGLER: Okay. I don't have any further
5 questions.

6 MS. LEVY: Nothing further from me.

7 MR. EGLER: Thanks again.

8 THE WITNESS: You're welcome.

9 THE VIDEOGRAPHER: The time is approximately
10 2:37 p.m. and this concludes the deposition.

11 (Time Noted: 2:37 p.m.)

12 FURTHER DEPONENT SAITH NOT.

13

14

15

16

17

18

19

20

21

22

23

24

1 REPORTER'S CERTIFICATE

2

3 I, JULIANA F. ZAJICEK, C.S.R. No. 84-2604,
4 a Certified Shorthand Reporter, do hereby certify:

5 That previous to the commencement of the
6 examination of the witness herein, the witness was
7 duly sworn to testify the whole truth concerning the
8 matters herein;

9 That the foregoing deposition transcript
10 was reported stenographically by me, was thereafter
11 reduced to typewriting under my personal direction and
12 constitutes a true record of the testimony given and
13 the proceedings had;

14 That the said deposition was taken before
15 me at the time and place specified;

16 That I am not a relative or employee or
17 attorney or counsel, nor a relative or employee of
18 such attorney or counsel for any of the parties
19 hereto, nor interested directly or indirectly in the
20 outcome of this action.

21 IN WITNESS WHEREOF, I do hereunto set my
22 hand on this 14th day of January, 2019.

23

24 JULIANA F. ZAJICEK, Certified Reporter

1 DEPOSITION ERRATA SHEET

2

3

4 Case Caption: In Re: National Prescription

5 Opiate Litigation

6

7 DECLARATION UNDER PENALTY OF PERJURY

8

9 I declare under penalty of perjury that I
10 have read the entire transcript of my Deposition taken
11 in the captioned matter or the same has been read to
12 me, and the same is true and accurate, save and except
13 for changes and/or corrections, if any, as indicated
14 by me on the DEPOSITION ERRATA SHEET hereof, with the
15 understanding that I offer these changes as if still
16 under oath.

17

18 MARY WOODS

19

20 SUBSCRIBED AND SWORN TO

21 before me this day

22 of , A.D. 20__.

23

24 Notary Public

1 DEPOSITION ERRATA SHEET

2 Page No. _____ Line No. _____ Change to: _____

3 _____

4 Reason for change: _____

5 Page No. _____ Line No. _____ Change to: _____

6 _____

7 Reason for change: _____

8 Page No. _____ Line No. _____ Change to: _____

9 _____

10 Reason for change: _____

11 Page No. _____ Line No. _____ Change to: _____

12 _____

13 Reason for change: _____

14 Page No. _____ Line No. _____ Change to: _____

15 _____

16 Reason for change: _____

17 Page No. _____ Line No. _____ Change to: _____

18 _____

19 Reason for change: _____

20 Page No. _____ Line No. _____ Change to: _____

21 _____

22 Reason for change: _____

23 SIGNATURE: _____ DATE: _____

24 MARY WOODS

1 DEPOSITION ERRATA SHEET

2 Page No. _____ Line No. _____ Change to: _____

3 _____

4 Reason for change: _____

5 Page No. _____ Line No. _____ Change to: _____

6 _____

7 Reason for change: _____

8 Page No. _____ Line No. _____ Change to: _____

9 _____

10 Reason for change: _____

11 Page No. _____ Line No. _____ Change to: _____

12 _____

13 Reason for change: _____

14 Page No. _____ Line No. _____ Change to: _____

15 _____

16 Reason for change: _____

17 Page No. _____ Line No. _____ Change to: _____

18 _____

19 Reason for change: _____

20 Page No. _____ Line No. _____ Change to: _____

21 _____

22 Reason for change: _____

23 SIGNATURE: _____ DATE: _____

24 MARY WOODS